



वैज्ञानिक जागरूकता वर्ष  
Year of Scientific Awareness

फाइल सं०  
File No. VI/11038/18/98-NCB-B

खण्ड  
Volume II

भारत सरकार  
GOVERNMENT OF INDIA  
गृह मंत्रालय  
MINISTRY OF HOME AFFAIRS

अनुभाग

Section NCB-D

टिप्पणियां/पत्राचार

NOTES/CORRESPONDENCE

को सूचीकृत की गई

Indexed on

आद्याक्षर

Initials

अभिलेख क/ख

Record A/B

अभिलेख ग ..... में नष्ट गए

Record C Destroyed in

नोट किया जाए अनुभागीया नोट बुक

नोट न किया जाए

To be noted In Sectional Note Book

Not to be noted

अनु० अ०/अधीक्षक के हस्ताक्षर

Initials of S.O./Supdt.

लिपिक के हस्ताक्षर

Initials of Clerk

विषय

SUBJECT

Appointment/ Extension of JMCT for  
Inquiry into the alleged disappearance  
of Netaji Subhas Chandra Bose —  
Payment of Bill reg.

Note - 33 pages

Corresp - 128 pages

पिछले हवाले  
Previous References

बाद के हवाले  
Later References

16

Keep

16/04/15





FR may please be seen.

2. This is regarding extension of the terms of Justice Mukherjee Commission of Inquiry which is inquiring into the alleged disappearance of Netaji Subhas Chandra Bose. The Commission was set up by Ministry of Home Affairs vide Notification No. SO 339 (E) dated 14-5-1999 and it was stipulated that it will submit its report as soon as possible but not later than six months from the date of publication of that Notification. It was also mentioned in that Notification that headquarters of the Commission shall be at New Delhi and/or any other place as determined by the Commission.

3. The Commission finally decided to establish its headquarters at Calcutta. As is the case with any new organization, this Commission too was faced with various teething problems and as such could not make much headway throughout the first tenure i.e. upto 14-11-1999.

4. Keeping in view the various problems faced by the Commission, its term was extended by six months beyond 14-11-1999 with the approval of HM vide notes on page 43-44/N in the main file linked below.

5. The Commission has since overcome the initial problems and is now fully functional. The first sitting of the Commission was held at Calcutta on 23-3-2000. A copy of the proceedings of that date containing the orders/directions passed by the Commission may be seen at page 409-414/Corrsp.

6. Attention is also invited to the terms of reference assigned to the Commission and contained in the initial notification dated 14-5-1999 (page 369-370/corrsp). It will be appreciated that the terms of reference are so wide as to make it well nigh impossible for the Commission to complete the inquiry within the remaining period of the extended term which expires on 14-5-2000.

7. Further, in response to public Notification, published by the Commission in various leading newspapers throughout the country, it has received more than 40 statements supported by affidavit, a considerable number of which disclose relevant material. These statements require a thorough probe. In addition, a number of other have been received ~~communications~~, review of which tends to disclose atleast some material relevant to the inquiry. For making a proper and extensive probe into the matter in order to ascertain the truth, the Commission may, in all probability, be required to visit different places not only in India but also abroad. The Commission is thus bound to take much time to unravel the mystery shrouding the alleged death of Netaji in a plane crash which is believed to have taken place in 1945 i.e. about 55<sup>years</sup> earlier. The elapse of such a long time will definitely make the Commission's task difficult.



8. Also, for complying with the orders/directions passed by the Commission in its sitting on 23-3-2000, the Commission has given six weeks time to the Govt. A perusal of the orders/directions will show that the same are of wide ramifications and collecting relevant information from various Ministries/Departments and coordinating the same before putting up a consolidated reply may take considerably more time than that granted by the Commission. The concerned Ministry/Department, in all probability, may seek extension of the time limit granted by the Commission for doing the needful, especially in view of the Parliament Session commencing on 17-4-2000.

9. In view of the position, stated above, as also in view of efflux of a pretty long period of more than 54 years since alleged disappearance of Netaji in August 1945 is likely to cause much hurdle and difficulties for the Commission in the matter of making available all evidences, oral and documentary. Keeping a realistic view in the matter, it will be in the fitness of the things, if the request of the Commission for granting extension of one year i.e. from 14-5-2000 to 13-5-2001 is agreed to, so as to enable it to accomplish its task effectively and conclusively.

10. Kind approval of HM may please be obtained.

*S. N. Singh*  
(S.N. SINGH)  
SO(JMCI)  
17-4-2000

US (D.IV)/MHA

*Note from pre-page explains the position with regard to the request of the Commission for extending its term by another one year beyond 14.5.2000. Normally, a Commission which is set up for a term of 6 months is granted a further extension of 6 months as was done last time (Notes on pp. 43-44/Notes). However, keeping in view the justification advanced by the Commission as spelt out in paras 6 to 8 of the Note, we may perhaps agree to the extension of the term of the Commission by another one year beyond 14.5.2000 or till 31st March, 2001.*

*The file may kindly be submitted to*



(3)

Hon'ble HM for his kind consideration /  
approval.

Director (ISI)

ABham  
17.4.2000

Justice Mukherjee Commission of Inquiry to inquire into the alleged disappearance of Netaji Subhas Chandra Bose was set up on 14.5.1999. The Commission got its first extension after the expiry of the initial six months and is now on its extended term. However, the extension is going to be over on 13.5.2000 and hence this proposal is for a further extension of one year with effect from 14.5.2000. The Commission has advanced reason for seeking this extension of which the following are material.

2. The Commission has since received 40 statements supported by affidavit. A considerable number of them is reportedly disclosing relevant material for the purpose of inquiry. These statements require a thorough probe. The Commission has held its first hearing on 23.3.2000 and given a series of directions compliance of which by the Government of India and individuals is expected to take time.

3. The Commission has further submitted that it may, in all probability, be required to visit different places in connection with its brief not only in India but also abroad. Besides, the Commission feels that since a long period of more than 54 years has elapsed, there may be hurdles and difficulties for the Commission in the matter of making available to it all the evidence- oral and documentary. The Commission has, therefore, requested an extension of a year.

4. The Commission's request appears to be well founded. Very recently, we have issued exhaustive communications to a number of quarters in the Government of India for lending assistance to the Commission in respect of a large number of old records. A sample copy of our communication to various Ministries including PMO in this connection may kindly be seen at flag-'A'. The entire process of collecting records and thereafter scrutiny of the same will invariably take Commission's time. Keeping in view all these aspects, the request of the Commission for an year's extension may be considered by the Government. We may have the approval of HM in the matter. Once we have the approval of HM, we will need to apprise the Ministry of Finance also in the matter, particularly because the extension of Commission's term will also result in the continuation of the infrastructure



and various temporary posts created for the assistance of the Commission. Incidentally, it may also be mentioned here that vide a separate communication received from the Commission, we have learnt that Justice Mukherjee will be taking a token amount of Re.1 per month as pay and other admissible allowances/perks excepting DA and CCA (flag-'B'). In the final analysis, the request of the Commission for an year's extension from 14.5.2000 now needs approval.

*[Signature]*  
18.4.2000  
(A.K. Paitandy)  
Director (IS-I)  
18.4.2000

~~JS (IS-I)~~

~~SS (ISP)~~

~~HS~~

~~HM~~

~~H.S.~~

*Sangita Gairola*  
18.4.2000

*[Signature]*  
19/4/2000

*L. K. A.*  
20.4.2000

*Sangita Gairola*  
21.4.2000

Please take further proceedings quickly  
*Sri Bhakia / US (DII)*  
*[Signature]*  
21.4.2000  
Dir (IS-I)

~~Dir (IS-I)~~

~~SS (ISP) (IS-2) 2000~~  
18/4

~~F-1094/SS (ISP) 2000~~  
19/4

~~F-1602/HS/2000 (IS-1)~~  
19/4

~~F-101A/2000-Hmp~~  
20.4.2000

~~F-228/Dir (IS-2) 2000~~  
24/4

*[Signature]*  
24/4  
GNS



Notes on p. 49-50/N aule explain.

2. Justice Mukherjee Commn. of Inquiry which is inquiring into the alleged disappearance of Netaji Subhas Chandra Bose has requested for grant of an extension of one year w.e.f. 14.5.2000. The same has been granted by HM vide p. 50/N aule.

3. On another file seeking continuation of various posts created for the Commn. consequent upon extension of the term of the Commn. last time, the M/o Finance had observed that before issue of the Notification extending the term of the Commn., they should have been consulted. Accordingly, M/Finance, Dept. of Expenditure [E-Coord. I Br.] may please see after which the Notification for extension of term of the Commn. for one year beyond 14.5.2000 will be issued. The matter may be given priority as the said Notification needs to be vetted by the Law Ministry and the time is very short.

May kindly see enroute to M/Finance, Dept. of Expenditure

US(D-IV), MHA.

Q Singh  
24.4.2000

R Bhanu  
24.4.2000

I.F.D. (Finance & Dk)

869/FwV/2000  
25/4

@  
Flag 'C'

✓  
FR



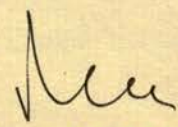
: 5 :

MHA/FINANCE V DESK

The term of the Justice Mukherjee Commission of Inquiry set-up by MHA to inquire into alleged disappearance of Netaji Subhash Chandra Bose has further been extended for another one year beyond 14-5-2000 with the approval of HS/HM at page 49-50/N.

2. IS Division have now proposed to seek the approval of M/o Finance for extension of the term of the Commission before the Gazette Notification is issued w.r.t. their observations at F/'C'. IFD are of the view that such a reference to M/o Finance at this stage is not required. Infact, the approval of M/o Finance would however be sought for the further continuation of the post created for the Commission.

3. We may however, refer the file to the M/o Finance, D/o Expenditure w.r.t their notes at F/'C' before the Gazette Notification for the extension of the term of the Commission is issued by the IS Division This was discussed with US(C) in the MoF (D/Expendr.).

  
( R.K. JAIN )  
Desk Officer  
25-4-2000

A.F.A (Home)

Ashalla.  
25.4.2000.

dir. (Fin. - H)

P. R. R. R.  
25.4.2000

Shing S  
26/4/00

FACH

JS (Pres) Dept Expend (Din. Pay)

26/4/00

27/4

US(C)  
27/4

82/AFH/2K  
25/4

1210/Dir (P)/2000  
27/4  
537/US(C)/2000  
3/5

दिवाक (वि. गृह)
दि. नं. (दि. गृह)
दि. नं. 1186
दि. नं. 25/4/2000

1931/Fin (H)/2000  
26/4

F-4087/JS (Pres) Expend  
26/4

706/EC/2000  
28/4/2000

27/4



6

Ministry of Finance  
Department of Expenditure  
E.Coord I Branch  
\*\*\*\*\*

Reference:- Notes on prepages

The proposal of the Ministry of Home Affairs regarding extension of the term of the Commission and continuation of 24 posts including the post of Chairman of the Commission of Inquiry set up to inquire into the alleged disappearance of Netaji Subhashchandra Bose for a period of one year beyond 14.5.2000 has been considered in this department. We agree to the extension of the term of the Commission and also continuation of the 24 posts for a period of one year i.e. up to 14.5.2001 or till the report is submitted by the Commission whichever is earlier.

2. This issues with the approval of the Finance Minister.

(MHA's file No.I/12014/2/99-IS(D.III) regarding continuation of posts is also returned herewith).

Taken personally from M/Finance 9/5

*Shyam Sunder*  
(SHYAM SUNDER)  
UNDER SECRETARY(C)

Ministry of Home Affairs (Finance V Desk)  
M/Fin.(Expdr.) ID No.706/E.Coord I/2000,  
Dated:- 9/5/2000

USCD-IV

Ref- above. We may now refer the file to the M/Law & Justice (Legislative Deptt) for vetting the draft Notification granting extension to the Commn. upto 14.5.2001.

JS&LE  
Do. K.N. Chatterjee

*Singh*  
9.5.2000

USCD-IV

*Prashant*  
9.5.2000

Most urgent

Kindly see this urgent  
*Prashant*  
9.5.2000  
Dir(M.A.)

Director (ISI)

Ministry of Law (Legislative Deptt)

Kind attention - Dr. Sanjay Singh / Leg-I Sec.

1104/2000  
10/5/2000  
DLC (Dr Sanjay Singh)  
KNC  
10/5/2000



⑦ - 50 -  
Legislative Department

Ref: notes on pre-pages.

The draft notification as amended  
in pencil is formally in order.

M/o Home Affairs.

Sanjay Singh

10-5-2000

(DR. SANJAY SINGH)  
Deputy Legislative Counsel  
Ministry of Law & Justice  
(Legislative Deptt.,  
New Delhi)

विधि विभाग में प्रेषित  
10/5/2000  
104/2000-11-10-5-2000

Ref. notes from pre-page.

2. The Legislative Deptt. have vetted the  
Notification. We may now request O.L.  
Wing of the Legislative Deptt. to provide  
us Hindi version of the same. Dir (LS-I)  
may pl. see for approval before the file  
is referred to that Deptt.

Singh  
10.5.00

Dir (LS-I)

Action as proposed. Please complete  
all the formalities quickly by taking  
personal initiative.

US (D-12)

अनुप

Dir (LS-I)  
10.5.2000  
Dir (LS-I)

Int. S. A. Singh.  
Legislative Deptt (O.L. Wing)

अनुप  
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11-5-2000  
C. S. Singh  
अधीक्षक  
3388231

384/2000  
11-5-2000

अधीक्षक

384/2000 - अनुप 11-5-2000



- 8 -

We may now request Hindi Section to kindly provide a fair copy on a green-sheet of the Hindi version of the Notification as vetted by the Legislative Dept (V.L. Wing) very urgently as the Govt Press have asked for it by to-day itself.

Singh  
11.5.00  
SO (JMC)

USC(D/W)

Prasham  
11.5.2000

Hindi Section

अनुसूची और राज्य सभा अधिनियम

11/5/2000

अनुसूची (डी-11)

Issued - P. 430-441 / CR

P.T.O.



- 9

The Secy, Jmcl, during his recent visit to New Delhi had the opportunity to discuss some points with JS(IS-I). JS(IS-I) had inter alia desired that a letter from her to Chief Secys. of States/UTs. requesting them to extend necessary facilities to the Commis. offices when they visit different places on official ground, may be issued. Accordingly, draft of such a letter is put up for consideration please.

JS(IS-I)

Singh  
02-08-00  
Sec Jmcl

Dir(IS-I)

? Please speak.

Sri S.N. Singh,  
SO (Jmcl)

Singh  
2-8-2000  
Dir(IS-I)

Dir(IS-I)  
2/8

Dir(IS-I)  
2/8

Spoken. JS(IS-I) may please see the proposed Communication to Chief Secretary of States/UTs for Co-operation with the Commission in the area of functional responsibility.

JS(IS-I)

Singh  
16.8.2000  
Dir(IS-I)

Approved & amended. Sanjita Jaisola  
16.8.2000

Dir(IS-I)  
Sri S.N. Singh.  
Singh  
16.8.2000  
Dir(IS-I)

PTO



- ~~57~~ - (10)

Ref. from p. 56/N ante.

2. JS(15-I) may kindly sign the fair copy after which the same would be got photocopied and issued.

JS(15-I)

Singh  
17.8.2000  
SO(JMCI)

Singh Gaurola  
17.8.

SO(JMCI)

Issued

p. 442-445/cr.

P.T.O.



- 58- (11)  
MINISTRY OF HOME AFFAIRS  
IS-I DIVISION

\* \* \*

Subject : Extension of the term of Justice Mukherjee  
Commission of Inquiry (JMCI) by one year  
beyond 14.5.2001 i.e. upto 14.5.2002.

\* \* \*

Justice Mukherjee Commission of Inquiry (JMCI) which is inquiring into the alleged disappearance of Netaji Subhas Chandra Bose has sought extension of its term from 14.5.2001 to 14.5.2002.

2. The Commission was constituted vide Notification S.O. 339(E) dated 14.5.1999 and was required to submit its report latest by 14.11.1999. However, due to various teething problems which are common to all new setups, it could not take off on time and was given extension from 14.11.1999 to 14.5.2000 with HM's approval, vide Notification S.O. 1090(E) dated 14.11.1999. The relevant extract of notes in this regard is available on pages 453-454/C.

3. Since the Commission started its proper functioning quite late due to various reasons beyond its control, the interested parties who were called upon to submit their averments/statements/affidavits, vide Commission's Notification dated 3.12.1999 sought extensions from time to time. Keeping in view the various difficulties genuinely brought to the notice of the Commission by the interested parties desirous of submitting their petitions, etc. before the Commission, it had no option but to accede to their request. Accordingly, extensions were granted to such groups or individuals from time to time.

4. Further, the Govt. Deptts. who, in the Commission's proceedings held at Kolkata on 23.3.2000, were directed to provide to the Commission the relevant records which are quite old and difficult to be retrieved, also sought more time to make such records available. It may be worthwhile to mention that the event being inquired into by the Commission happens to be more than 55 years old and had taken place beyond the boundary of India. The retrieval and supply of such old records to the Commission is undoubtedly a cumbersome and time consuming task. It also involved correspondence between various Govt. Deptts. within India as also from foreign countries associated with Netaji and I.N.A.

5. Also, the records received by the Commission from various quarters (in addition to the affidavits/statements/petitions, etc.) needed to be carefully examined and taken note of for further follow up as deemed necessary. Not only that, many of the petitions/statements ~~were~~ received are in languages other than English and Hindi. These required to be got translated into English before the Commission could consider the same.

6. The further proceedings of the Commission also resulted in further directions to parties/groups/individuals for compliance. They too sought extensions. The MHA has so far filed two affidavits before the Commission. The other Deptts. have either filed their affidavits or sought more time for doing the needful.

7. Thus it is quite obvious, that the task before the Commission is quite vast and arduous as would be evident from

P.T.O.



from pre-page:

the terms of reference given to it vide para 2 of the original Notification dated 14.5.1999 (pages 444-445/C). The Commission was, therefore, left with no option but to seek one year's extensions from 14.5.2000 to 14.5.2001 which was granted with the approval of HM vide Notification S.O. 1090(E) dated 14.5.2000 (page 431/C) and pages 455-456/C.

8. In the meantime, the Commission was continuing its regular periodical sittings and simultaneously examining the records/materials before it. On scrutiny of the MHA's earlier affidavits, the Commission further directed the Home Secretary to file a supplementary affidavit. In that connection extension of time till 30.4.2001 has been sought by Home Secretary and that supplementary affidavit is in the process of being finalised in consultation with the Law Ministry, etc.

9. However, the Commission has again come up with a request to extend its term for one year from 14.5.2001 to 14.5.2002 for the following reasons :-

- (a) that the terms of reference for the Commission are not only considerably wide but also call for a thorough probe into matters which are older than half a century;
- (b) that the number of affidavits already received by the Commission is 58, most of which disclose relevant materials requiring thorough probes;
- (c) that a large number of correspondence have been received by the Commission, in language other than English and Bengali, which are yet to be translated into English and that such translation is a considerably time-consuming process;
- (d) some of the affidavits/materials received by the Commission suggest availability of some more relevant material and comments of some of the Govt. Deptts. are still to be furnished to the Commission;
- (e) as the Commission examines further material before it, more affidavits, etc. are to be sent to Govt. Deptts. seeking their comments on points concerning them. The study of such documents is still continuing.
- (f) that a large number of important witnesses, many of whom are pretty old and physically infirm, are required to be examined by or on behalf of the Commission at different places of India convenient to them;
- (g) that in the past, a number of such witnesses could be examined on Commission at different places and some of such witnesses could not ultimately be examined on Commission for various reasons while the coordinating efforts required to be made for each such programme are considerably time-consuming;
- (h) that for the purpose of its enquiry the Commission is required to visit London and some



From pre-page:

other foreign countries connected with Netaji and I.N.A. to examine various documents available in those countries and, if need be, to examine witnesses for which the Commission has already approached the Ministry of External Affairs, Government of India to do the needful; and

- (i) that no advance programme for recording evidence by or on behalf of the Commission as also for holding hearings of the Commission either in or outside India can possibly be drawn up legally pertaining to any date/period which falls beyond the extended term of the Commission while it requires at least two months to get a proposal for extension of the term of the Commission finalised and the required Government Notification published.

10. In view of the circumstances as stated in the preceding paragraphs, the request of the Commission appears to be justified. Accordingly, the term of the Commission may be extended from 14.5.2001 to 14.5.2002. Kind approval of HM is solicited. (Main file is quite bulky and is, therefore, not being submitted).

1989/DS(15-1)/2001  
20/4

Prashant  
20.4.01

( V.P. BHATIA )  
Under Secretary (D.IV)  
20.4.2001

DS(15-1)

In view of position explained above the term of the Commission may pl. be extended for one more year i.e. up to 14.5.2002.

Put up for consideration pl.

[Signature]  
20/4/2001

IS(15-1)

We may seek approval of H.M. for extension of the term of the Commission from 14.5.2001 to 14.5.2002 for the reasons mentioned at Para 9 (a) to (i).

685/DS(15-1)/2001  
23/4

F-1186/Secretary  
20/4

No. F.1292/HS/2001  
25/4

SS(15P)

HS

Sanjita Gaurala  
23.4.01

[Signature]  
20/4/2001

L.K.A.  
10.5.2001

F-772/HM/2001  
26/4

JS(15-1)  
10/5 HS seen



- 14

Pl. issue orders well in time.

Sanjita Gaviola

10.5.01

DS(15-1)

Put up <sup>draft order</sup> Law 11/5/01.

US DIV.

10.5.01

Reference notes on pages 58-60/ante.

2. HM has approved the proposal to extend the term of Justice Mukherjee Commission of Inquiry into alleged disappearance of Netaji Subhas Chandra Bose from 14.5.2001 to 14.5.2002.

3. We may now issue a notification amending the ~~original~~ notification dated 14.5.1999 published as S.O. 339(E) so as to indicate that the Commission shall submit its report to the Central Government as soon as possible but not later than 14.5.2002. Accordingly, draft is put up for consideration please. This has been attempted on the basis of the earlier notification issued for extending the term of the Commission from 14.5.2000 to 14.5.2001.

✓ Pp. 437-38/c

4. The DFA may now be shown to Ministry of Law & Justice (Legislative Department) for getting the same vetted. As the notification is to issue on or before 14.11.2001, the file will have to be taken personally to Law Ministry followed by a Hindi version to be got done by the Official Language Legislative Commission.

May kindly approve.

A. S. (LD) 876  
Dy. No. 11/5/2001  
Date

Prashant

( V.P. BHATIA )  
Under Secretary (D.IV)  
11.5.2001

DS(15-1)

11.5.2001

JS(15-1)

Sanjita Gaviola

11.5.01

Ministry of Law & Justice (Legislative Department), Legislative Section, Shastri Bhavan, New Delhi.

Put up to Addl. Secy (Dr. Sanjay Singh)

MHA I.D. Note No. VI/11034/18/98-IS(D.III) dated 11.5.2001.

KNC  
11/5/2001  
Legislative I

Legislative Department

The draft notification as slightly touched in pencil is formally in order.

M/o Home Affairs.

Sanjay Singh  
11.5.2001

Ministry of Law, Justice & Company Affairs  
(Legislative Dept.)

11/5/2001



Notification extending the term of Justice Mukherjee Commission of Inquiry by one year beyond 14.5.2001 has now been vetted by the Ministry of Law & Justice, Legislative Deptt. and its Hindi version has been provided by the official language legislative Commission.

Fair notification is placed below for kind signature before the notification is sent to the Govt. of India Press, Mayapuri, New Delhi for publication in today's issue of the Extraordinary Gazette.

Prashant  
14.5.2001

JS (IS-E)

Sanjita Jainola  
14.5.01

DS (IS-1)

- p.464/c

Vide Notification S.O.No. 429(E) dated 14th May, 2001, the term of the Justice Mukherjee Commission of Inquiry was extended by another year upto 14.5.2002.

2. The Commission has not submitted so far any interim/final report about the progress of inquiry and the term of the Commission is expiring on 14.5.2002. We may, therefore, request JMCI to let us know the progress of the inquiry and as to when a report is likely to be submitted, the Hon'ble Home Minister.

3. A draft letter is placed below for consideration.

395/35(15-1)2001  
14/3  
1959/105(15-1)02  
14/3

Prashant  
14.3.02  
( V.P. BHATIA )  
Under Secretary (D.IV)  
14.3.2002

Director (IS-I)

US DIV

Pl. amend & put up. 14/3  
Amended draft is placed  
below.

Prashant  
15.3.2002

Director (IS-E)

May pl. appse.

JS (IS-1)

he may wait till 31<sup>st</sup> March.

Pl. amend.

Dir (IS-1)

16.3.

Pl. put up  
HR on 16/3  
by the JMCI  
US DIV  
17/3  
18/3



Subject : Extension of the term of Justice Mukherjee  
Commission of Inquiry (JMCI) by one year  
beyond 14.5.2002 i.e. upto 14.5.2003.

\* \* \* \*

Justice Mukherjee Commission of Inquiry (JMCI) which is inquiring into the alleged disappearance of Netaji Subhas Chandra Bose has sought extension of its term from 14.5.2002 to 14.5.2003.

2. The Commission was set up by Ministry of Home Affairs vide Notification No. SO 339(E) dated 14.5.1999 and it was stipulated that it will submit its report as soon as possible but not later than six months from the date of publication of that Notification. However, due to various teething problems, it could not take off on time and was given extension from 14.11.1999 to 14.5.2000 with HM's approval, vide Notification S.O.No. 1090(E) dated 14.11.1999. The relevant extract of notes in this regard is available on pages 453-454/C.

✓ slip 'A'

✓ slip 'B'

3. Since the Commission started its proper functioning quite late due to various reasons beyond its control, the interested parties who were called upon to submit their averments/statements/affidavits, vide Commission's Notification dated 3.12.1999 sought extensions from time to time. Keeping in view the various difficulties genuinely brought to the notice of the Commission by the interested parties desirous of submitting their petitions, etc. before the Commission, it had no option but to accede to their request. Accordingly, extensions were granted to such groups or individuals from time to time.

4. Further, the Govt. Deptts. in the Commission's proceedings at Kolkata on 23.3.2000, were directed to provide to the Commission the relevant records which are quite old and difficult to be retrieved. As a result, these Deptts. sought more time to make such records available. The retrieval and supply of such old records to the Commission was undoubtedly a cumbersome and time consuming task. It also involved correspondence between various Govt. Deptts. within India as also from foreign countries associated with Netaji and I.N.A.

5. Besides, the records received by the Commission from various quarters (in addition to the affidavits/statements/petitions, etc.) needed to be carefully examined and taken note of for further follow-up. Not only that, many of the petitions/statements received are in languages other than English and Hindi and these required to be got translated into English before the Commission could consider the same.

6. The task before the Commission is quite vast and arduous as would be evident from the terms of reference given to it vide para 2 of the original Notification dated 14.5.1999 (pages 444-445/C). The Commission was, therefore, left with no option but to seek one year's extension from 14.5.2000 to 14.5.2001 which was granted with the approval of HM vide Notification S.O.No. 462(E) dated 14.5.2000 (page 431/C) and pages 460-461/C.

✓ slip 'A'

7. The Commission again came up with a request to extend the term of the Commission from 14.5.2001 to 14.5.2002



for the reasons cited in para 9 of the note on pages 59-60/ante and with the approval of HM, further extension of one year beyond 14.5.2001 was granted to the Commission vide Notification S.O.No. 429(E) dated 14.5.2001 (pages 464/C).

8. The Commission has made a further request to extend its term for one year beyond 14.5.2002 for the following reasons :-

- (a) That the terms of reference of the Commission are not only considerably wider, but also call for thorough probe into the matters which are more than half a century old;
- (b) That the number of affidavits already received by the Commission is 64 (including 6 from Government Officers), that more affidavits are likely to be admitted in future on merits and that most of the affidavits already received disclose relevant materials requiring thorough probe;
- (c) The Commission requested Ministry of Home Affairs on November 21, 2000 for sanction of additional posts of staff for the Commission's Office in Kolkata and New Delhi including the posts of two full-time Senior Research Officers and one full-time Senior Hindi Translator. These 5 posts were sanctioned initially to be filled up on deputation but on account of the difficulties expressed by the Commission, these posts were allowed with the approval of Ministry of Finance to be filled up by appointing on contract basis persons aged 45 years and above, subject to a rider that while issuing appointment letters Ministry of Law and Justice, Department of Legal Affairs, Branch Secretariat, Kolkata, may be consulted so as to ensure that the appointment on contract basis does not become a permanent liability for the Government. The Deptt. of Legal Affairs, Branch Sectt., Kolkata, cleared two posts of Senior Hindi Translator and Steno Grade 'D' vide their Note dated 6.2.2002. The Commission is yet to get clearance of the other cases referred to the Law Ministry, Kolkata. That a large number of correspondence/matters have been received by the Commission in languages other than Bengali and English, which are yet to be translated into English; that such translation is considerably a time-consuming process and Senior Hindi Translator, the only Officer of the Commission sanctioned for the purpose, could be appointed and could join the Commission very recently;
- (d) That some of the affidavits and supplementary affidavits disclosing relevant facts/materials have been sent to different Ministries for their comments as also for furnishing authenticated true copies of the relevant documents referred to and relied upon therein which are yet to be received by the Commission. More such affidavits and supplementary affidavits are expected to be sent to the Ministries from time to time for similar action;



- (e) That many of the files/records/documents, which are mostly pretty old records, called for from the Government of India in terms of orders/directions passed from time to time as also in different proceedings of the Commission including the first proceeding dated 23.3.2000 are yet to be received from the Government of India;
- (f) That the inordinate delay in making such files/records/documents available to the Commission is consequently retarding the progress of the work of the Commission;
- (g) That a large number of important witnesses, many of whom are pretty old and physically infirm, are required to be examined by or on behalf of the Commission at different places of India convenient to them;
- (h) That in the past a number of such witnesses could be examined by or on behalf of the Commission at different places and some of such witnesses could not ultimately be examined for various reasons while the coordinating efforts required to be made for each such programme are considerably time-consuming;
- (i) That the team of the Commission comprising the Hon'ble Chairman, the Secretary and the representative of the National Archives of India visited London as early as July, 2001 but the National Archives of India as per their undertaking is yet to procure Micro-films/Micro-fiches of the documents/files earmarked by the team of the Commission and send them to the Commission for necessary scrutiny thereof;
- (j) That the Commission vide its letter dated 17.4.2001 submitted a revised proposal for visit of the Commission to Japan and subsequently, on November 13, 2001, again approached Ministry of External Affairs with the composite proposal in the interest of economy of time and money for visit of the Commission to Japan and Taiwan to examine relevant witnesses available there and also to visit the places there relevant for the purpose of inquiry of the Commission and that the said visit to Japan and Taiwan is yet to be finalised;
- (k) That for the purpose of its inquiry, the Commission is required to visit some other foreign countries to examine various documents available in those countries and if need be, to examine witnesses available there for which the Commission has already approached the Ministry of External Affairs, Government of India, to do the needful;
- (l) That no advance programme for recording evidence by or on behalf of the Commission as also for holding hearing of the Commission either in or outside India can possibly be drawn up legally on any day which falls beyond the extended term of the commission while it



: 19:

takes at least two months to get a proposal for extension of the term of the Commission approved and the necessary Notification published by the Government.

9. In view of the grounds cited by the Commission, as stated in the preceding paragraph, the request of the Commission appears to be justified. Accordingly, the term of the Commission may be extended from 14.5.2002 to 14.5.2003. The file is submitted for kind approval of HM. (Main file is quite bulky and is, therefore, not being submitted).

V.P. Bhatia  
19.4.02

( V.P. BHATIA )  
Under Secretary (D.IV)  
19.4.2002

Director (IS-I)

JS (IS-I)

The proposal contained in para 9 above may pl. be approved.

Sangita Gairola  
19.4.2002

SS (JKA)

22/3/19/4

HS

19/4

HM

L. K. A.  
26.4.2002

HS  
JS (IS-I)

Pl. take further n.a. urgently.

Sangita Gairola  
29.4.02

US (DIV)

4788/DIS (IS-I) 102  
19/4

538/IS (IS-I) 202  
19/4

505/IS (IS-I) 202  
15/4

F-1650/45/02  
19/4  
F-1190/45/02  
20/4



: 69:20

Reference notes on pages 63-66/ante.

2. The proposal of Justice Mukherjee Commission of Inquiry to extend the term of the Commission from 14.5.2002 to 14.5.2003 has now been approved by the Hon'ble HM.

3. We may now issue a Notification amending the original notification dated 14.5.1999 published as S.O. 339(E) so as to indicate that the Commission shall submit its report to the Central Government as soon as possible but not later than 14.5.2003. Accordingly, draft notification is put up for consideration. This has been attempted on the basis of the earlier notification issued for extending the term of the Commission from 14.5.2001 to 14.5.2002.

✓ Slip A

✓ p. 464/c

4. The DFA may now be shown to Ministry of Law & Justice (Legislative Department) for getting the same vetted. After the draft notification has been vetted by the Legislative Department, its Hindi version will be got vetted by the Official Language Legislative Commission.

May kindly approve.

*V.P. Bhatia*

( V.P. BHATIA )  
Under Secretary (D.IV)  
29.4.2002

JS(IS-I)

*Kanjha Gargola*

29.4.02

Miny of Law, Justice & Company Affairs, Legislative Dept.  
Legislative-I Section, Shastri Bhawan, New Delhi-110001

MHA ID No VI/11034/18/98-15-D.II (Vol.II) dt. 29.4.02

विधि न्याय और शांति का  
प्रतिपक्ष तथा प्रत्यक्ष सुनाना  
30 APR 2002  
6987  
कानून विभाग

281



विधि, न्याय एवं संसदीय कार्य विभाग  
 Ministry of Law, Justice &  
 Company Affairs  
 (संसदीय विभाग)  
 (Legislative Deptt.)  
 भवन 1, नया  
 दिल्ली 110002

Addl. Secy.

KNC  
 1/5/2002

Addl. (Secy. N.K. Nampoothiry)

Dy. No. 12/02/1/Adl. L.C. (NKN)

Date 1/5/02 Dy. 1263/2002-SRO:

Subject: Extension of the term of Justice Mukherjee Commission of Inquiry beyond 14.5.2002-vetting of draft notfn.  
 \*\*\*\*\*

A.S. (L.D.)  
 Dy. No. 528  
 Date 1/5/02

The draft notification placed on the file has been scrutinised and vetted in this Department.

The draft as slightly touched in pencil is formally in order.

*(Signature)*

(M.K. Nampoothiry)  
 Additional Legislative Counsel  
 01-5-2002  
 Phone: 3384405.

Ministry of Home Affairs

विधि, न्याय एवं संसदीय कार्य विभाग  
 Ministry of Law, Justice &  
 Company Affairs  
 (संसदीय विभाग)  
 (Legislative Deptt.)

U. O. No. 1263/02 1/5/02

Please place on file a clear copy of the notification and get Hindi version personally from the O.L. wing of the Legislative Deptt.

J.S. (IS-I) may kindly see for information before Shri Manoj Kumar is deputed to undertake this work.

*(Signature)*  
 2/5/02

J.S. (IS-I)

Discussed with SSC (IS-I).  
 Legislative Deptt (OL wing) may please provide Hindi version of the notification urgently (per bearer).

Legislative Deptt. (OL wing) 2/5/02

गृह विभाग  
 Ministry of Home Affairs  
 110002  
 2/5/02  
 को.रे. सं.  
 डाक सं.

1532/15/50/1/02  
 2/5

1/5/2



— 69 —  
राजभाषा खण्ड  
अनुवाद I अनुभाग

आध्यात्मिक हिन्दी पाठ की एक अनुमोदित प्रतिलिपि है। प्रशासनिक मंत्रालय में सुनिश्चित करने के लिए कि हिन्दी पाठ उनकी अपेक्षाओं के अनुसार है।

दिनांक  
8/5/02

सुन्दर लाल श्रीवास्तव

सुनिश्चित  
3.5.02

गृह मंत्रालय

रचित  
3388231

राजभाषा खण्ड, डा. 5/19/02 अनु. I नं. 8-5-02

for immediate n. a. pl

UCD IV

We may request Hindi Section to kindly provide urgently a fair copy on a green-sheet of the Hindi version of the Notification as vetted by the Legislative Deptt. (O.L. Wing).

दिनांक  
8/5/02

US (D.IV) (On tour)

Dir (IS-1)

Hindi Section

URGENT PL.  
9/5/02.

स्वच्छ प्रति इसी कागज के शीट पर

9/5

IS-D (III)

Needful has been done.

US of IV / Dir (IS-1)

for personal & sig. pl.

IS (IS-1)

Please ensure its publication in the Gazette well in time.

9/5

Langita Jaisola  
10.5.02

Dir (IS-1)

UC DIV

10/5

432/दि. 9/5

623/75/5774  
1/95

5203/10/5774  
As directed by  
Notification together  
with forwarding  
letter handed  
over to US (D.IV)  
13/5/02



Reference on pre-page.

In connection with extension of the term of the Justice Mukherjee Commission of Inquiry beyond 14.5.2002, after approval of the HM, we had forwarded copy of the Gazette Notification to the Manager, Govt. of India Press, with the request to publish the same on 14.5.2002 in Gazette of India Extraordinary dated 14.5.2002. Vide letter dated 14.5.2002, we requested the Manager, Govt. of India Press, to indicate S.O.No. of Extraordinary Notification and it has been indicated on the letter itself that S.O.No. is 508(E).

2. In view of this position, it is for consideration whether we may inform the Commission about the extension of its term by another year and that a copy of the Notification will follow.

3. Accordingly, a draft is placed below. JS(IS-I) may kindly see.

( B.R. DHIMAN )  
Under Secretary (D.II)  
14.5.2002

Director (IS-I)

May pl. approve.

JS (IS-I)

17/5

15-5

US DHV

Please voice

17/5

S.M.

Ref. above:-

We have received copies of the notifications extending the tenure of the Commission by another year upto 14.5.2003. We may inform the Commission and send copy of the notification to the Commission as per letter placed on file.

S.M.

17/5 2002



- ~~22~~ (24)

Ref. page: -

Further pps added to file.

Pl. keep

  
2019/2002

P.A. (DOTV)



25

Ministry of Home Affairs  
IS(D-V)

FR under submission is a bill from Government of India Press for Rs 765/- on account of printing of 50 copies of Extra-ordinary Gazette of India, Part-II Section 3 Sub Section 2 No. 431 dated 14.5.2002.

The bill appears to be in order. If approved to, we may pass the bill for payment as per DFA for the concurrence of Director(Admn.) as Head of Department.

We may refer to Cash-II for obtaining the concurrence of Director (Admn.) for the aforesaid expenditure.

*[Signature]*  
29/10/02  
(M.S.Zuha)  
Desk Officer (D-V)  
29.10.2002.

DIR(IS-II)

U.S. (Cash-II)

*[Signature]*  
*[Signature]*

MHD/Cash-II

Payment of Rs 765/- only on account of Printing and Supply of copies of Extraordinary Gazette of India has been approved by Dir (IS-II),

Head of Account and grant to mentioned in the Sanction order are correct. Director (Admn) may please approve the expenditure of Rs 765/- only as Head of the Department. Funds to the extent are available.

*[Signature]*  
31/10/2002

DIR(Admn)

U.S. (Cash-II)

*[Signature]*  
31.10.2002  
15 (D-III)

✓ p.135/cor.

47/Dir (IS-II) or  
30/10

on T  
Pate

CASH-II  
Dy. No. 7703  
Date 31/10/02

x p.138/c

7707/Dir (IS-II) or  
31/10

cur  
20/11  
DO (IS-II)



26

Ministry of Home Affairs  
NCB Section

.....

FR under submission is a bill from Government of India Press for Rs.765 on account of printing of 50 copies of Extra-Ordinary Gazette of India, Part-II Section 3 Sub Section 2 No.443 dated 14/5/03.


2. The bill appears to be in order. If approved to, we may pass the bill for payment as per D.F.A for the concurrence of Director (Admn.) as Head of Departement.

We may refer to Cash-II for obtaining the concurrence of Director(Admn.) for the aforesaid expenditure.

  
(M.S. ZUHA) 23/9/03  
DESK OFFICER

Director(S)

Cash-II

  
24/9

2263/2003  
24/9

AT  
24/9





From prepage

29

MHA/Cat-II

Payment of Rs 765/- towards printing charges of Extra ordinary Gazette of India Part-II Section 3 Sub Section-2 S.No 443 dt 14-5-03 has been approved by Director (S).

Head of Account and grant No mentioned in the Sanction order are correct. As (Ad-II) may please approve the expenditure of Rs 765/- only as Head of the department. Funds to the extent are available.

16/7/03

DS (Ad-II)

NCB Section

27/7

Reference Prepage & above Note

10/10  
23/10/03

For m-a.  
Ms Setthi 27/10

As desired a Draft Sanction Order is submitted for approval please.

Ms Setthi  
3/11/03

DOCNCB



28

Ministry of Home Affairs  
NCB Section

.....

FR under submission is a bill from Government of India Press for Rs.765 on account of printing of 50 copies of Extra-Ordinary Gazette of India, Part-II Section 3 Sub Section 2 No.1028 dated 14/11/03.

✓ P/x

2. The bill appears to be in order. If approved to, we may pass the bill for payment as per D.F.A for the concurrence of Director (Admn.) as Head of Departement.

We may refer to Cash-II for obtaining the concurrence of Director(Admn.) for the aforesaid expenditure.

CASH-II  
324  
19/11/04

*M. S. Zuhra*  
(M.S. ZUHA)  
DESK OFFICER

233/Dir(S)04  
15/11

MT  
C.4/11

Director(S)

Cash-II

*M. S. Zuhra*  
By

MHA/Cash-II  
Payment of Rs 765/- only towards printing & charges of Gazette Notification Extra ordinary dt 8-12-03 has been approved by Director(S).

Head of Account and grant 170 mentioned in the sanction order are correct. As (Adm. TL) may please approve the expenditure of Rs 765/- only as Head of the department. Funds to the extent are available.

*mt*  
19/11/04

*AN*  
19/11/04

DS(Adm. TL)  
D.O. (NCB)

*mt*  
20/11



-29-

Ministry of Home Affairs  
NCB Section

.....

FR under submission is a bill (No. 014674, dated 02.9.2004) from Government of India Press for Rs. 1488/- (Rupees one thousand four hundred and eighty eight only) on account of printing of 50 copies of Extra-Ordinary Gazette of India, Part-II Section 3 Sub Section 2 No. 443, dated 14/5/2004..

2. The bill appears to be in order. If approved to, we may pass the bill for payment as per D.F.A for the concurrence of Director (Admn.) as Head of Department.

We may refer to Cash-II for obtaining the concurrence of Director (Admn.) for the aforesaid expenditure.

Per 04/10

for Bnath  
(M.S. ZUHA)  
DESK OFFICER  
(on leave)

Director(S)

Cash-II

Unkhal  
05/10

MHA/Cash-II

Payment of Rs 1488/- only on account of printing of 50 copies of Extra-ordinary Gazette of India, Part-II Section 3 No 443 D-14-5-04. has been approved by Director (S).

Head of Account and grant no. mentioned in the sanction order are correct. DS (PLV) may please approve the expenditure of Rs 1488/- only as Head of the Department. Funds to the extent are available.

M. C. Tyoh  
20/10/04  
S.P. Cash-II

PLV  
21/10/04

Director (Security)

DS (Cash-II)

DS (PLV)

Unkhal

Do (on leave) 28/10/04

CASH-II  
No. 6568  
Date 6/10

400/NCB-II/04  
25/10/04

801  
31/10/04

602/DMG/08  
20/10/04

1 issued  
26/10/04



30

Ministry of Home Affairs  
Security Division  
NCB-II Section

.....

FR under submission is a bill(No.460, dated 27.1.2005) from Government of India Press for Rs.1487/-(Rupees one thousand four hundred and eighty seven only) on account of printing of 50 copies of Extra-Ordinary Gazette of India, Part-II Section 3 Sub Section 2 No.982, dated 14/11/2004..

2. The bill appears to be in order. If approved to, we may pass the bill for payment as per D.F.A for the concurrence of Director (Admn.) as Head of Departement.

We may refer to Cash-II for obtaining the concurrence of Director(Admn.) for the aforesaid expenditure.

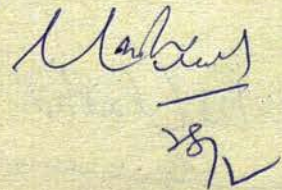
693/Dm/985  
28/12

82T  
Rs 195

Is it Rs 1487 or 1486?

  
(M.S. ZUHA)  
DESK OFFICER

Director(S) Dr. G. M. M. M.

Cash-II 

MHA Cash-II

CASH-II  
14/12  
11/9



(39)

From prepage.

MHA/Cash-II

Payment of Rs 1487/- only towards printing charges of Gazette Notification has been approved by Director (S).

Head of Account and Grant No mentioned in the sanction order are correct. DS (P&V) may please approve the expenditure of Rs 1487/- only as Head of the department. Funds to the extent are available.

M.C. Tyagi

4/3/05

S.O. Cash-II

DS (Cash)

DS (P&V)  
N.B. II

DS  
4/3/05  
Lance  
5/3/05



32

Ministry of Home Affairs  
Security Division  
NCB-II Section

FR under submission is a bill(No.1803, dated 4.7.2005) from Government of India Press for Rs.1488/-(Rupees one thousand four hundred and eighty eight only) on account of printing of 50 copies of Extra-Ordinary Gazette of India, Part-II Section 3 Sub Section 2 No.487, dated 14/5/2005.

2. The bill appears to be in order. If approved to, we may pass the bill for payment as per D.F.A for the concurrence of Director (Admn.) as Head of Departement.

We may refer to Cash-II for obtaining the concurrence of Director(Admn.) for the aforesaid expenditure.

3065/DSC/105  
30/8/05

MC  
30/8

Sugoswan  
30/8/05

(S.K. GOSWAMI)  
UNDER SECRETARY

When is DFA?

R  
30/8

WFA

DFA is placed on  
file for  
30/8/05

~~DS(S)~~

~~Cash-II~~

30/8

DS(S)

ST-7

2  
30/8

CASH-II  
30/8/05



From prepop.

(33)

MHA/Cash-V

Payment of Rs 1488/- only towards  
printing charges of Gazette of India Notification  
Part-II Section 3 Sub Section-2 SL No 487 M-  
14-5-2005 has been approved by DS(S)

Head of Account and grant not  
mentioned in the sanction order are  
correct. DS(ABV) may please approve  
the expenditure of Rs 1488/- only as  
Head of the department. Funds to the  
extent are available.

M.C. Tyagi  
31/8/05  
S.O. Cash-V

U.S. (Cash)

DS (ABV)  
14/5-05

Pd. issue  
5/9/05

Dr  
31/8/05  
Lecno  
21/9/05

M. N.





# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 1028]

नई दिल्ली, शुक्रवार, नवम्बर 14, 2003/कार्तिक 23, 1925

No. 1028]

NEW DELHI, FRIDAY, NOVEMBER 14, 2003/KARTIKA 23, 1925

गृह मंत्रालय

MINISTRY OF HOME AFFAIRS

अधिसूचना

NOTIFICATION

नई दिल्ली, 14 नवम्बर, 2003

New Delhi, the 14th November, 2003

का.आ.1313 (अ).—केन्द्रीय सरकार, जांच आयोग अधिनियम, 1952 (1952 का 60) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के गृह मंत्रालय की अधिसूचना सं० का० आ० 339 (अ) तारीख 14 मई, 1999 का निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना के पैरा 4 के स्थान पर, निम्नलिखित पैरा रखा जाएगा, अर्थात् :—

“4. आयोग, अपनी रिपोर्ट, केन्द्रीय सरकार को यथा संभव शीघ्र किन्तु 14-5-2004 के अपश्चात् प्रस्तुत करेगा।”

S. O. 1313 (E).—In exercise of the powers conferred by Sub-section (1) of Section 3 of the Commission's of Inquiry Act, 1952 (60 of 1952), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Home Affairs number S.O. 339 (E), dated the 14th May, 1999, namely :—

In the said notification, for paragraph 4, the following paragraph shall be substituted, namely :—

“4. The Commission shall submit its report to the Central Government as soon as possible but not later than the 14-5-2004.”

[फा. सं. VI/11034/18/98-एन०सी०बी०/आई०एस०(V)]

[File No. VI/11034/18/98-NCB/IS(V)]

राकेश, संयुक्त सचिव

RAKESH, Jt. Secy.

टिप्पण :—आयोग को नियुक्त करने वाली मूल अधिसूचना भारत के राजपत्र में सं०का०आ० 339 (अ) तारीख 14-5-1999 द्वारा प्रकाशित हुई भी और तत्पश्चात् इसे निम्नलिखित द्वारा संशोधित किया गया था :—

NOTE :—The principal notification appointing the Commission was published in the Gazette of India vide S.O. 339 (E) dated 14-5-1999 and subsequently amended vide.—

- (i) का०आ० 1090 (अ) तारीख 14-11-1999;
- (ii) का०आ० 462 (अ) तारीख 14-5-2000;
- (iii) का०आ० 429 (अ) तारीख 14-5-2001;
- (iv) का०आ० 508 (अ) तारीख 14-5-2002; और
- (v) का०आ० 546 (अ) तारीख 14-5-2003.

- (i) S.O. 1090 (E) dated 14-11-1999;
- (ii) S.O. 462 (E) dated 14-5-2000;
- (iii) S.O. 429 (E) dated 14-5-2001;
- (iv) S.O. 508 (E) dated 14-5-2002; and
- (v) S.O. 546 (E) dated 14-5-2003.



124

2

Ministry of Finance  
Department of Expenditure  
E.Coord. I Branch  
\*\*\*

In view of the position explained in the foregoing notes, we agree to the continuation of 24 posts including the post of Chairman of the Commission of Inquiry upto 14.5.2000 or the date of submission of the report, whichever is earlier.

2. Incidentally, MHA should have consulted this Ministry before issuing the Gazette notification granting extension to the Commission for submitting its report, as the continuation of the posts is only a fait accompli now.

Secretary(E) has seen.

*Shyam Sunder*  
(SHYAM SUNDER) 9/12  
Under Secretary(C)

FA(Home)

No. 1404/E(Coord)/99 09 Dec 99

IS-1 Division may please note the observations of the MoF at para 2 for guidance for the future.

2. Govt sanction may now be issued as app'd by the MoF.

*P. Jay*  
9/12

~~Is (IS-1)~~

*Sanjita Gaurala*  
9.12.99

~~Dist (IS-1)~~ Important. Please follow the required drill in future.

*Sri Balakrishna*  
Sec (D-IV)

*Sanjit*  
9.12.99  
Sec (D-I)

*F-1797/3301-S 299*  
*9-12-99*





सत्यमेव जयते

*Confidential*

MUST IMMEDIATE/TIME BOUND 3

DO No. I/12014/13/2000-IS (D. III) 24

S. No-9

गृह मंत्रालय

भारत सरकार

नाथं ब्लॉक, नई दिल्ली-110001

MINISTRY OF HOME AFFAIRS  
GOVERNMENT OF INDIA

NORTH BLOCK, NEW DELHI-110001

A.K. PAITANDY  
DIRECTOR (IS-I)  
Tele No.301 2478

Dated the 11th April, 2000

Dear

As you are aware, a Commission of Inquiry headed by Justice M K Mukherjee, a retired Judge of the Supreme Court of India, is inquiring into the alleged disappearance of Netaji Subhas Chandra Bose. In its first sitting held at Calcutta (the headquarters of the Commission), on 23rd March, 2000 the Commission has issued certain Orders/Directions as contained in the record of proceedings, a copy of which is enclosed for ready reference. It will be seen that these Orders/Directions are to be complied with by the concerned Ministries of the Government of India within six weeks of the communication of the same.

2. As the matter is very sensitive and important, it is essential that the requirements are handled and coordinated on extremely urgent basis so that there is no delay in extending help to the Commission. I shall, therefore, be grateful if you please look into the matter immediately and personally and let us have the factual information latest by 20-4-2000 as to whether any records/files pertaining to Netaji/INA, with particular reference to the files/documents mentioned in the various directions of the Commission, are available in your Deptt/Organisation.

3. In case the position is in affirmative, the files/documents etc. will need to be kept in readiness and intimation regarding the same is to be conveyed to the Secretary of the Commission in the following address:-

Shri P K Sengupta,  
Secretary,  
Justice Mukherjee Commission of Inquiry,  
'B' Block, 3rd Floor,  
11/A, Mirza Ghalib Street,  
Calcutta- 700 087

Telephone Nos:- 033- 2162765/68  
2162835

FAX No. 033-2162765

Contd...2/-



A copy of the intimation may also please be made available to us in the following address:-

(a) Shri V P Bhatia,  
Under Secretary IS(D.IV),  
Ministry of Home Affairs  
North Block,  
New Delhi

Telephone No.301 5700

FAX Nos. 011-301 7763/301 5750

(b) Shri S.N. Singh  
Section Officer  
Justice Mukherjee Commission of Inquiry  
(New Delhi Office)  
Room No.172-B,  
North Block,  
New Delhi

Telephone No.301 6634

4. It may please be noted that the names of different Nodal Officers of the concerned Ministries (as shown below) have been communicated to the Commission on the basis of the requirement of the Commission and the consent of the Ministries. It will be the responsibility of these Nodal Officers to interact with the Commission after obtaining necessary feed-back/input/orders etc. from the Competent authorities of their respective Ministries. The Secretary of the Commission is also being informed accordingly:-

Sl.No.	Name of the Ministry	Name & Designation of the Officer	Tele. No.
1.	Ministry of External Affairs	Shri Jayant Prasad Joint Secretary South Block, New Delhi-110 011	301 1357
2.	Ministry of Human Resource Development (Deptt. of Culture)	Dr.Sukumar Sarkar Director General, National Archives Janpath, New Delhi	3383436 FAX No. 0091-11-3384127
3.	Ministry of Defence	Shri G.B. Singh Director(History) Division, 3/West Block-8, Wing-I R.K. Puram, <u>New Delhi</u>	610 2067

Contd...3/-

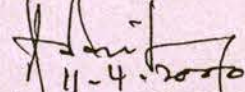


5 (26)

5. This may kindly be accorded top priority.

With kind regards,

Yours sincerely,

  
11-4-2020  
(A.K. PAITANDY)



From: Shri P.K. Sengupta, WBHJS  
Secretary (Retd.)

Justice Mukherjee Commission of Inquiry

for inquiry into the alleged disappearance of  
Netaji Subhas Chandra Bose  
'G' Block (3rd floor)  
11/A Mirza Ghalib Street, Calcutta-700 087

Phone:  
033-216-2765/68  
033-216-2835.  
Fax:  
033-216-2765

7918/ISUSDIV/2000  
21/3  
DO No. JMC/...PF/Ch./99-2000/1/97-135.

Calcutta, dated, the 07.03.2000

2974/D(15.1)2000  
16/3  
Dear Mr. Pantandy,

I am directed to inform you that the Hon'ble Chairman of the Commission Mr. Justice M.K. Mukherjee will receive pay of Rupee 1/- only per mensem with effect from June, 1999 and all other allowances and perquisites admissible to him with effect from June, 1999. I am further directed to say that he will not draw any Dearness Allowance and City Compensatory Allowance.

With Regards,

Yours sincerely,  
P.K. Sengupta  
( P.K. Sengupta )

Important  
17.3.2000  
To  
Shri A.K. Paitandy,  
Director (IS-I),  
Ministry of Home Affairs,  
Govt. of India,  
North Block,  
New Delhi-110 001.

Srs



3656/DMIS-122000

615

1000/ISUSDIV/2000 (7) 399

7/4

28

2729/33(152) 2000  
614

**JUSTICE MUKHERJEE COMMISSION OF INQUIRY**

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

**NETAJI SUBHAS CHANDRA BOSE.**

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

216-2765-68 & 216-2835

Fax:

216-2765

No. JMCI/Admn/99-2000/128-164

Calcutta, dated, the 31<sup>st</sup> March 2000

From : Shri P.K. Sengupta, WBHJS(Retd.)

Secretary.

To : Ms. Sangeeta Goirala, IAS,  
Joint Secretary (Internal Security),  
Ministry of Home Affairs,  
Government of India, North Block,  
New Delhi 110 001

Subject : Extension of the term of Justice M.K. Mukherjee Commission of Inquiry beyond 14.05.2000.

Madam,

I am directed to invite a reference to your Notification No. S.O.1090(E) dated 14.11.1999 published in the Gazette of India, Extraordinary, dated November 14, 1999 under which the term of Justice M.K. Mukherjee Commission of Inquiry was extended upto 14.05.2000. I am sending herewith an upto-date Status Report on the said Commission for your kind perusal. The reasons for which the Commission could not take off before December, 1999 were intimated to the Ministry in the Commission's letter No. nil dated 28.09.1999 (copy enclosed) and have been stated in the enclosed Status Report as on 29.03.2000.

I am further directed to say that the term of reference for Justice M.K. Mukherjee Commission of Inquiry are, you will definitely appreciate, so wide as to make it well nigh impossible to complete the inquiry within the remaining days of the extended term which expires on 14.05.2000. Besides, more than 40 statements supported by affidavit have been received, a considerable number of which disclose relevant material. These statements require a thorough probe. This number does not, however, include a large number of other correspondences, a few of which tend to disclose at least some material relevant to the inquiry. Further, for making a proper and extensive probe into the matter in order to ascertain the truth, the Commission may, in all probability, be required to visit different places not only in India but also abroad.

The first hearing of the Commission was held on 23.03.2000 and it may take some time for compliance with directions given by the Commission to the Government of India and individuals. Besides, efflux of a pretty long period of more than 54 years since

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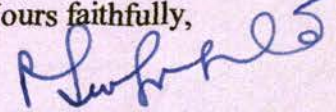
8/2/2000  
39

alleged disappearance of Netaji Subhas Chandra Bose in August 1945, is likely to cause much hurdles and difficulties for this Commission in the matter of making available to it all the evidence - oral and documentary.

I am, therefore, directed to request you kindly to take necessary steps for extension of the term of Justice Mukherjee Commission of Inquiry atleast by a further period of one year from 14.05.2000.

This may kindly be treated as urgent and necessary Government Notification extending the term of the Commission for a further period of one year communicated at an early date so that the work of the Commission may continue without any break or interruption.

Yours faithfully,

  
(P.K. Sengupta)  
Secretary



⑨. (not  
40)

**Justice Mukherjee Commission of Inquiry to  
inquire into the alleged disappearance of  
Netaji Subhas Chandra Bose.**

Dated, the 28th September, 1999

**From :-** Shri P. K. Sengupta, WBHJS(Retd.)  
Secretary. [ Fax no.( 033)235-5225 ].

**To :-** Shri A. K. Paitandy, I.A.S.,  
Director (IS-I),  
Ministry of Home Affairs,  
Government of India,  
North Block, New Delhi - 110 001. (Fax no. 011-3017763)

**Sub :-** Extension of the term of Justice Mukherjee Commission of Inquiry set up by the notification dated 14.05.1999 of the Government of India, Ministry of Home Affairs ( SO 339 E) for inquiry into the alleged disappearance of Netaji Subhas Chandra Bose.

*Sir,*

I am directed by the Hon'ble Chairman to say that the initial term of 6 months of the Commission is going to expire on 13.11.1999, but the Commission has not yet been able to start functioning for the following reasons :-

1. Non-availability of essential infrastructure including suitable accommodation in Calcutta and manpower.
2. Long delay in the appointment of the Secretary to the Commission.
3. Non-availability of fund to the Commission for incurring the preliminary expenditure.

Till now, no accommodation is available for the Commission in Calcutta. No formal steps could be taken by the Commission for acquiring necessary accommodation and manpower until the appointment of the Secretary by the order dated 17.08.1999 of the Government of India, Ministry of Home Affairs. I took over charge of the Secretary on 19.08.1999. As you are aware, no accommodation for the Commission is available in any building of the Government of India in Calcutta. I am trying to get accommodation for the Commission in any suitable premises in Calcutta. As advised by you, I took up the matter with the Chairman-cum-Managing Director of the Cycle Corporation of India. In this connection, my letter dated 24.08.1999 may kindly be referred to. Subsequently, I wrote a d.o. letter dated 14.09.1999 to Shri S. P. Mukherjee, Chairman-cum-Managing Director of the Cycle Corporation of India, with a copy endorsed to



10/4/1999

you, requesting him to finalise the matter and communicate his decision as early as possible. Till now, no reply has been received from him.

I have also requested the Principal Secretary, Government of West Bengal, Public Works Department, to allot some vacant space for the Commission in any building of the Government of West Bengal. I have not yet received any reply to the letters dated 9.9.1999 and 14.9.1999 addressed to the Principal Secretary, Government of West Bengal, Public Works Department.

We got an offer of about 1675 Sq.ft. area on the first floor of the premises no. 203B, Acharya Jagadish Chandra Bose Road, Calcutta - 700 020 from its owner and I wrote to Shri Abhai Sinha, Superintending Engineer, Calcutta Circle -II, C.P.W.D. requesting him to assess the rent and issue a Rent Reasonableness Certificate. No reply has yet been received from the said Executive Engineer.

As it appears, it may take some more time to get a suitable office accommodation for the Commission in Calcutta. The Commission also needs some time to appoint officers and staff sanctioned by the order dated 2.6.1999.

In these circumstances, I am directed by the Hon'ble Chairman to request the Government of India to extend the term of the Commission by a further period of at least one year from 14.11.1999.

Considering the nature and wide scope of the matter of inquiry, the Commission is of opinion that a further term of one year is the bare minimum time necessary to complete the inquiry properly. It may also be taken into consideration that for ascertaining the truth the Commission may, in all probability, be required to visit different places not only in India but also abroad.

I am, therefore, directed to request you to kindly move the Government of India to extend the term of the Commission for a further period of at least one year from 14.11.1999.

Yours faithfully,



( P. K. Sengupta )



(11) 42/403

JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
'B' Block (3rd Floor)  
11-A, Mirza Ghalib Street, Cal-87.

(Commission of Inquiry to inquire into  
the alleged disappearance of  
Netaji Subhas Chandra Bose)

STATUS REPORT  
as on 29.03.2000

1. The Central Government, vide its Notification No.S.O.339(E) dated 14th May, 1999 appointed a Commission of Inquiry comprising of Hon'ble Mr. Justice M.K. Mukherjee, a retired Judge of the Supreme Court of India, to inquire into all the facts and circumstances related to the disappearance of Netaji Subhas Chandra Bose in 1945 and subsequent developments connected therewith including:-

- (a) Whether Netaji Subhas Chandra Bose is dead or alive;
- (b) If he is dead, whether he died in the Plane crash, as alleged;
- (c) Whether the ashes in the Japanese temple are ashes of Netaji Subhas Chandra Bose;
- (d) Whether he has died in any other manner at any other place and, if so, when and how;
- (e) If he is alive, in respect of his whereabouts;

2. Besides, the Commission has been asked to examine the manner in which the exercise of scrutiny of publications touching upon the question of death or otherwise of Netaji Subhas Chandra Bose can be undertaken by the Central Government in the circumstances.

3. The initial term of six months of the Commission expired on 13.11.1999. But the Commission could not start functioning for the following reasons :

- (a) Non-availability of essential infrastructure including suitable accommodation in Calcutta and required man-power.
- (b) The Notification regarding appointment of the Secretary to the Commission was issued by the Central Government on 20th October, 1999.
- (c) Because of some procedural snags the Commission could not draw any amount of money upto the end of November, 1999.



4. The term of the Commission has been extended by another six months beyond 14.11.1999 under Notification No.S.O.1090(E) dated 14.11.1999.

5. The Notification inviting statement/memorandum in the form of affidavit was issued by the Commission on 3rd. December, 1999.

6. In view of inadequacy of statement/memorandum received by the Commission in response to its said Notification dated 3rd December, 1999 within the prescribed period of two months from the date of the Notification and having regard to representations received from various quarters asking for extension of time to submit statement/memorandum, the time for furnishing statement/memorandum was extended by the Commission till 7th day of March, 2000.

7. 40 statements/memorandums in the form of affidavit filed by or on behalf of 54 persons were received till 7th March, 2000. Besides, a large number of communications have been received in different Indian languages which are, however, not in the form of affidavit.

8. Shri Jayant Prasad, Joint Secretary, Ministry of External Affairs, South Block, New Delhi-110 011, Dr. Sukumar Sarkar, Director General, National Archives, Ministry of Human Resource Development (Department of Culture), Janpath, New Delhi, Shri G.B. Singh, Director (History Division), Ministry of Defence, 3/West Block-8, Wing-I, R.K. Puram, New Delhi, who are the nodal Officers of their respective Ministries have been asked by the Commission to furnish relevant particulars of all the files, in the custody or under the control of those Ministries, pertaining to Netaji Subhas Chandra Bose and I.N.A. A list of 990 files transferred by the Ministry of Defence, Government of India to the National Archives of India, has since been received. Ministry of Home Affairs was requested to send list of their approved translators for translation of different matters, written in Indian languages other than Bengali and English, into English.

9. During first half of March, 2000, Secretary to the Commission visited New Delhi, to make endeavour to get the relevant files and the entire records of the proceedings of Netaji Inquiry Committee, 1956 and Justice Khosla Commission of Inquiry into the alleged disappearance of Netaji.



13/44/2005

He was made to understand that the number of files pertaining to Netaji/I.N.A. held by the Ministry of Defence, Government of India, was 990 and not 9,900 as claimed by some quarters. He also approached the relevant authorities for the Government approved list of translators and the scales of fees/remuneration for their works.

10. Meanwhile, the Commission, in exercise of its power under Section 8 of the Commissions of Inquiry Act 1952, has framed regulations to regulate its proceedings.

11. The Commission held its first hearing on 23rd March, 2000 at 12.00 noon in the Conference Hall of Block 'B' (5th floor), at 11-A, Mirza Ghalib Street, Calcutta-87. All the 54 persons, who had filed statements either jointly or severally, were requested to attend the hearing personally and/or through their authorised representative. About forty persons attended the hearing on 23.03.2000. The Government of India, Ministry of Home Affairs, was requested to send a representative of the Government or request the Additional Solicitor General stationed in Calcutta to attend the hearing on behalf of the Government of India. Shri R.N. Poddar, Jt. Secretary and Legal Advisor, Ministry of Law and Justice, Govt. of India attended the hearing on being requested by Ministry of Home Affairs.

12. After examining the statements of the parties and hearing them and/or their representatives regarding the modalities of the proceedings, the Commission made various Order/Directions. Action is being taken by the office in compliance with those Order/Directions, which are mostly concerning filing of relevant files/records/document irrespective of whether they are Top secret, Classified or Declassified, lying in the custody of Govt. of India and Govt. of West Bengal.



(14) 45 (not)

JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
'B' Block (3rd Floor)  
11-A, Mirza Ghalib Street, Cal-87.

(Commission of Inquiry to inquire into  
the alleged disappearance of  
Netaji Subhas Chandra Bose)

STATUS REPORT  
as on 29.03.2000

1. The Central Government, vide its Notification No.S.O.339(E) dated 14th May, 1999 appointed a Commission of Inquiry comprising of Hon'ble Mr. Justice M.K. Mukherjee, a retired Judge of the Supreme Court of India, to inquire into all the facts and circumstances related to the disappearance of Netaji Subhas Chandra Bose in 1945 and subsequent developments connected therewith including:-
  - (a) Whether Netaji Subhas Chandra Bose is dead or alive;
  - (b) If he is dead, whether he died in the Plane crash, as alleged;
  - (c) Whether the ashes in the Japanese temple are ashes of Netaji Subhas Chandra Bose;
  - (d) Whether he has died in any other manner at any other place and, if so, when and how;
  - (e) If he is alive, in respect of his whereabouts;
2. Besides, the Commission has been asked to examine the manner in which the exercise of scrutiny of publications touching upon the question of death or otherwise of Netaji Subhas Chandra Bose can be undertaken by the Central Government in the circumstances.
3. The initial term of six months of the Commission expired on 13.11.1999. But the Commission could not start functioning for the following reasons :
  - (a) Non-availability of essential infrastructure including suitable accommodation in Calcutta and required man-power.
  - (b) The Notification regarding appointment of the Secretary to the Commission was issued by the Central Government on 20th October, 1999.
  - (c) Because of some procedural snags the Commission could not draw any amount of money upto the end of November, 1999.



4. The term of the Commission has been extended by another six months beyond 14.11.1999 under Notification No.S.O.1090(E) dated 14.11.1999.
5. The Notification inviting statement/memorandum in the form of affidavit was issued by the Commission on 3rd. December, 1999.
6. In view of inadequacy of statement/memorandum received by the Commission in response to its said Notification dated 3rd December, 1999 within the prescribed period of two months from the date of the Notification and having regard to representations received from various quarters asking for extension of time to submit statement/memorandum, the time for furnishing statement/memorandum was extended by the Commission till 7th day of March, 2000.
7. 40 statements/memorandums in the form of affidavit filed by or on behalf of 54 persons were received till 7th March, 2000. Besides, a large number of communications have been received in different Indian languages which are, however, not in the form of affidavit.
8. Shri Jayant Prasad, Joint Secretary, Ministry of External Affairs, South Block, New Delhi-110 011, Dr. Sukumar Sarkar, Director General, National Archives, Ministry of Human Resource Development (Department of Culture), Janpath, New Delhi, Shri G.B. Singh, Director (History Division), Ministry of Defence, 3/West Block-8, Wing-I, R.K. Puram, New Delhi, who are the nodal Officers of their respective Ministries have been asked by the Commission to furnish relevant particulars of all the files, in the custody or under the control of those Ministries, pertaining to Netaji Subhas Chandra Bose and I.N.A. A list of 990 files transferred by the Ministry of Defence, Government of India to the National Archives of India, has since been received. Ministry of Home Affairs was requested to send list of their approved translators for translation of different matters, written in Indian languages other than Bengali and English, into English.
9. During first half of March, 2000, Secretary to the Commission visited New Delhi, to make endeavour to get the relevant files and the entire records of the proceedings of Netaji Inquiry Committee, 1956 and Justice Khosla Commission of Inquiry into the alleged disappearance of Netaji.



He was made to understand that the number of files pertaining to Netaji/I.N.A. held by the Ministry of Defence, Government of India, was 990 and not 9,900 as claimed by some quarters. He also approached the relevant authorities for the Government approved list of translators and the scales of fees/remuneration for their works.

10. Meanwhile, the Commission, in exercise of its power under Section 8 of the Commissions of Inquiry Act 1952, has framed regulations to regulate its proceedings.

11. The Commission held its first hearing on 23rd March, 2000 at 12.00 noon in the Conference Hall of Block 'B' (5th floor), at 11-A, Mirza Ghalib Street, Calcutta-87. All the 54 persons, who had filed statements either jointly or severally, were requested to attend the hearing personally and/or through their authorised representative. About forty persons attended the hearing on 23.03.2000. The Government of India, Ministry of Home Affairs, was requested to send a representative of the Government or request the Additional Solicitor General stationed in Calcutta to attend the hearing on behalf of the Government of India. Shri R.N. Poddar, Jt. Secretary and Legal Advisor, Ministry of Law and Justice, Govt. of India attended the hearing on being requested by Ministry of Home Affairs.

12. After examining the statements of the parties and hearing them and/or their representatives regarding the modalities of the proceedings, the Commission made various Order/Directions. Action is being taken by the office in compliance with those Order/Directions, which are mostly concerning filing of relevant files/records/document irrespective of whether they are Top secret, Classified or Declassified, lying in the custody of Govt. of India and Govt. of West Bengal.



JUSTICE MIKKHERJEE COMMISSION OF INQUIRY  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
NETAJI SUBHAS CHANDRA BOSE.  
'B' Block, (Third Floor)  
11/A Mirza Ghalib Street, Calcutta 700 087.

Phone:  
216-2765-68 & 216-2831  
Fax:  
216-2765

No. JMCI/Meeting/99-2000/48/9

Calcutta, dated, the 04.04.2000.

From : Shri P.K. Sengupta, WBHJS (Retd.)  
Secretary

To : Ms. Sangeeta Goirala, IAS,  
Joint Secretary (Internal Security),  
Ministry of Home Affairs,  
Government of India,  
North Block,  
New Delhi-110 001.

Madam,

I am directed to send herewith a copy of  
the proceedings dated 23rd March, 2000 of Justice  
Mukherjee Commission of Inquiry containing Orders  
and Directions of the Commission for immediate  
compliance with those Orders/Directions which  
concern the Government of India.

URGENT

Pl. discuss the  
steps needed to be taken  
to hand over the material to  
the Commission immediately

DMS 5.4.2000

Yours faithfully,

(P.K. Sengupta)  
Secretary

US(PIT)

*Mark from Board*  
*This is Very important*  
*and absolutely Omnis.*  
*Please initiate from*  
*up down immediately*  
*We have to write to all*  
*Depts including PMO for the*  
*actions required in steps*  
*and ask S.N. Singh to do this*  
*for him*  
*IB/RAH/PMO/MOD/MEA all*  
*will have to be addressed*  
*For proceedings of Khosla Commission*  
*from efforts will be taken for*  
*The day starts from today*  
*(5.4.2000)*  
*216-2831*  
*Sri Bhattacharya*  
*US(PIT)*



JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
To inquire into the alleged disappearance of  
Netaji Subhas Chandra Bose

No. Date

Proceedings dated 23rd March, 2000.

Present - Hon'ble Justice M.K. Mukherjee,  
Chairman.

After examining the statements filed by the parties and after hearing them and/or their representatives regarding the modalities of the proceedings, the Commission makes the following Orders/Directions :-

(a) The Government of India shall produce before the Commission, within six weeks from the date of communication of these Orders/Directions, the following :-

(i) All files relating to Netaji Subhas Chandra Bose and/or I.N.A. in the Prime Minister's Secretariat including the following Secret files :-

1A, 2-A, 3-A, 6-A, 8-A, 12-A, 16-A (U.O. Note No. D/S-86 6, dated August 24, 1953, from P.M.'s Secretariat to Mohd. Yunus, MEA (SEA, BR), 17-A (U.O. Note No. D.3788-8EA/53, dated August 27, 1953, from Mohd. Yunus US, MEA (SEA) to P.M.'s Secretariat, 27-A, (Memo No. 2/53/1971/3/601 151) dated October 13, 1953, from Mohd. Yunus US, MEA (SEA) to P.M.'s Secretariat, 33-B (Letter No.20/62 (Accts.) dated April 82 (sic), 1954, from the Joint Secretary, I.N.A. (Enquiry and Relief Committee, 82, Daryaganj, Delhi to the President, 34 A (Rajya Sabha's Starred question No. 60 dated Sept. 28, 1954), 35-B (Note for Supplementaries) 37-A (Lok Sabha Starred Question No.334 dated August 2, 1955) 37-BCD (enclosures to S. No. 37-A) and Notes 11, 12, 13, 14, 15, 18, 19, 23, 24, 25, 26 and 29 File No. 23 (156)/ 51-P.M. (Indian National Army) (INA) in the Far East), 23 (11)-56-57 PM (INA Treasure), 12(226)/56 PM (Investigation into the circumstances leading to the death of Subhas Chandra Bose); 249 INA-GHQ Case Bose and Russia, 249-INA- II(H) GHQ Case on Subhas Chandra Bose, Headquarters main file 279/1 INA 10 Misc., Headquarters main file 273 INA (Misc. INA), Headquarters main file 273/INA, Headquarters Main file 273-INA, 138-INA and 265 INA; 10 Misc., INA;

contd...P.2.



No.            Date           JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
To inquire into the alleged disappearance of  
Netaji Subhas Chandra Bose

(ii) File No.16/3/45-Poll, (i) containing Secret Report dated 19.09.45 by R. Tottenham, Secretary prepared for Home Department; file No.75/INA containing intelligence report prepared by Major Toye, Comd. S. Section CSDIC(i) dated 20.10.45; F. No. 8/18/46-Poll, (i) containing question No. 28 of Hon'ble Yuvaraj Dutta Singh in the Council of State and the answer given; file No.8/15/46-Poll, (i) relating to question No.14 dated 6.11.46 of Yuvaraj Dutta Singh; File No.8/2/47 - Poll, (i) relating to Yuvaraj Dutta Singh's questions placed in the list of business for the Council of State on 17.2.47;

(iii) Report bearing Secret No.1400/23/SE, CSDIC, Red Fort, Delhi dated 25th March, 1946; Netaji's letter to Jacob Malik, Soviet Ambassador, Tokyo dated 20.11.1944; Netaji's broadcast at 21.15 hrs. to 21.25 hrs., Special Message on 18.8.45; Confidential letter dated 23.5.46 from American Consulate Guard, Bombay dated 23.5.46 to the Secretary of State, Washington D.C.. A-175(a de-classified C.I.A. document (original stated to be in the Archives of Princeton University); a de-classified C.I.A. document dated 27.2.64 relating to a story concerning the possible return of one Subhas (Subas) Chandra Bose; API news agency's report attached to intelligence report for the Home Department dated 21.12.45; Secret No. 11/INC/45 dated 16.1.46 from the Dy. Inspector Genl. of Police, CIS, Bombay Province, Silvajinagar, Pune-5; Lt. Col. Anderson's confidential letter No.MS/5/5, CSDIC Red Fort Delhi dated 21.1.46 referring to a portion of Major Toye's report dt. 15.1.46; Daily INA Report No.56 dated 5.2.46 prepared by W.N.P. Jenkins, Dy. Director (C) of Intelligence Bureau (Home Dept.); W. Mckwright's letter No. C-5 dated 19.2.46 to Intelligence Bureau, H.D., New Delhi-3; Major Yong's Top Secret letter No.SL/9/CS/1 dated 1.8.46 to W.C.K. Wright; Pt. Nehru's letter to Mr. Atlee, the then Prime Minister of U.K. during 45 to 47 relating to Subhas Chandra Bose; Khurshed Naoroji's letter dt. 27.7.46 to Louis Fischer, secret correspondence between

contd...P.3.



No. Date

JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
To inquire into the alleged disappearance of  
Netaji Subhas Chandra Bose

Mokwright and Major Young dt. April 8, 1946 relating to receipt of a letter by Pandit Jawaharlal Nehru from Subhas Ch. Bose regarding his stay in Russia; and correspondences between Louis Fischer and Gandhiji, Louis Fischer and Khurshed Naoroji, Louis Fischer and the President of USA, Louis Fischer and the Prime Minister of UK and other political leaders of U.K. in relation to Netaji and India's independence, Louis Fischer to Stalin;

(iv) The entire proceedings (including the evidence recorded) of Shaw Nawaz Committee and Khosla Commission which had <sup>held</sup> earlier enquiries into the disappearance of Netaji Subhas Chandra Bose;

(v) The full texts of the Transfer of Power, Volumes VI & VII;

(b) Besides filing the above files/records/documents, the Government of India shall file Affidavits of competent persons of the related Ministries giving lists of all other files/records/documents, irrespective of whether they are Top Secret, Classified or De-classified, (except the 995 files transferred by the History Divn., Ministry of Defence to the National Archives, Delhi, a list of which has already been furnished to the Commission) lying in their respective custody or control relating to Netaji Subhas Chandra Bose and/or Indian National Army;

(c) The Government of West Bengal shall produce all the files relating to Netaji Subhas Chandra Bose now lying in the custody of the Special Branch, including file No. 269/45 "Prisoner/Release-Revised Policy of Govt., for the release of security prisoners" containing Memo No. SS 129/SE dated 31st August, 1945 from the Commissioner of Police, Calcutta to H.S.E. Stevens, the then Chief Secretary, Govt. of Bengal, express letter No. 1234 dated 25.8.45 of Bengal Govt. and Confidential Note dated 3.9.45 of D.R. Hardwick, D.I.G. I.B.;

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JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
To inquire into the alleged disappearance of  
Netaji Subhas Chandra Bose

No.      Date

- (d) Since, from the statement filed on behalf of All India Forward Bloc it appears that Dr. (Mrs.) Purabi Roy of Asiatic Society has done along with some others an extensive research work in Russia including on Netaji Subhas Chandra Bose and has submitted their report to the Society, The Commission would like to have an affidavit filed by Mrs. Purabi Roy indicating the particulars of the documents which might have come to her notice in course of her research and considered by her to be relevant for the purpose of the enquiry by this Commission as early as possible preferably within six weeks from the communication of these Orders/Directions.

The General Secretary of the said Society is also requested to forward to the Commission the aforesaid report along with its enclosures within the period prescribed as above.

- (e) After the files are produced and/or particulars furnished by the Central Government in terms of the above orders/directions, a research team will be constituted to peruse those files and submit its report about the relevant contents thereof. The parties may suggest names of competent persons, preferably stationed in Delhi, who may be included in the team to be so constituted; and
- (f) Having regard to the facts that the evidence of Major G. Baskaran, who in his statement has claimed that he worked as Confidential Secretary of Netaji Subhas Chandra Bose at the material time, will be relevant for the enquiry and that he is aged 82 years, has lost his vision and is seriously ailing, immediate steps be taken to record his statement at his residence at No. 9, Royal Enclave, Basant Avenue, Chennai notwithstanding the fact that the evidence, if any, to be

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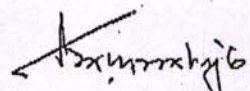
27-53 (12)  
444

JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
To inquire into the alleged disappearance of  
Netaji Subhas Chandra Bose

No.    Date

produced by the Central Government is  
yet to be recorded.

The Secretary of the Commission is directed  
to take immediate steps for compliance with the  
above Order/Directions.

  
(M.K. Mukherjee)  
Chairman



3660/DMUS-122000  
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1008/15USDIV/2000

23

**JUSTICE MUKHERJEE COMMISSION OF INQUIRY**

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

**NETAJI SUBHAS CHANDRA BOSE.**

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

216-2765-68 & 216-2835

Fax:

216-2765

No. JMCI/Admn/99-2000/128-164

Calcutta, dated, the 31<sup>st</sup> March 2000

From : Shri P.K. Sengupta, WBHJS(Retd.)  
Secretary.

To : Ms. Sangeeta Goirala, IAS,  
Joint Secretary (Internal Security),  
Ministry of Home Affairs,  
Government of India, North Block,  
New Delhi 110 001

Subject : Extension of the term of Justice M.K. Mukherjee Commission of Inquiry beyond 14.05.2000.

Madam,

I am directed to invite a reference to your Notification No. S.O.1090(E) dated 14.11.1999 published in the Gazette of India, Extraordinary, dated November 14, 1999 under which the term of Justice M.K. Mukherjee Commission of Inquiry was extended upto 14.05.2000. I am sending herewith an upto-date Status Report on the said Commission for your kind perusal. The reasons for which the Commission could not take off before December, 1999 were intimated to the Ministry in the Commission's letter No. nil dated 28.09.1999 (copy enclosed) and have been stated in the enclosed Status Report as on 29.03.2000.

I am further directed to say that the term of reference for Justice M.K. Mukherjee Commission of Inquiry are, you will definitely appreciate, so wide as to make it well nigh impossible to complete the inquiry within the remaining days of the extended term which expires on 14.05.2000. Besides, more than 40 statements supported by affidavit have been received, a considerable number of which disclose relevant material. These statements require a thorough probe. This number does not, however, include a large number of other correspondences, a few of which tend to disclose at least some material relevant to the inquiry. Further, for making a proper and extensive probe into the matter in order to ascertain the truth, the Commission may, in all probability, be required to visit different places not only in India but also abroad.

The first hearing of the Commission was held on 23.03.2000 and it may take some time for compliance with directions given by the Commission to the Government of India and individuals. Besides, efflux of a pretty long period of more than 54 years since

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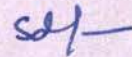
24 ~~5~~ <sup>2</sup> (416)

alleged disappearance of Netaji Subhas Chandra Bose in August 1945, is likely to cause much hurdles and difficulties for this Commission in the matter of making available to it all the evidence - oral and documentary.

I am, therefore, directed to request you kindly to take necessary steps for extension of the term of Justice Mukherjee Commission of Inquiry atleast by a further period of one year from 14.05.2000.

This may kindly be treated as urgent and necessary Government Notification extending the term of the Commission for a further period of one year communicated at an early date so that the work of the Commission may continue without any break or interruption.

Yours faithfully,



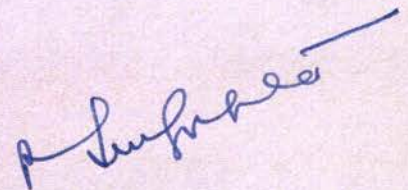
(P.K. Sengupta)  
Secretary

No. JMCI/Admn/99-2000/128-164/1(2)

Calcutta, dated, the 31<sup>st</sup> March 2000

Copy forwarded for information and necessary action to :-

- ✓ 1. Sri A.K. Paitandi, IAS, Director (IS-I), Ministry of Home Affairs,  
Government of India, North Block, New Delhi 110 001
2. Sri S.N. Singh, Section Officer, JMCI (New Delhi),  
C/o. Sri V.P. Bhatia, Under Secretary to the Govt. of India,  
Ministry of Home Affairs, North Block, New Delhi 110 001



(P.K. Sengupta)  
Secretary



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**Justice Mukherjee Commission of Inquiry to  
inquire into the alleged disappearance of  
Netaji Subhas Chandra Bose.**

Dated, the 28th September, 1999

**From :-** Shri P. K. Sengupta, WBHJS(Retd.)  
Secretary. [ Fax no.( 033)235-5225 ].

**To :-** Shri A. K. Paitandy, I.A.S.,  
Director (IS-I),  
Ministry of Home Affairs,  
Government of India,  
North Block, New Delhi - 110 001. (Fax no. 011-3017763)

**Sub :-** Extension of the term of Justice Mukherjee Commission of Inquiry set up by the notification dated 14.05.1999 of the Government of India, Ministry of Home Affairs ( SO 339 E) for inquiry into the alleged disappearance of Netaji Subhas Chandra Bose.

*Sir,*

I am directed by the Hon'ble Chairman to say that the initial term of 6 months of the Commission is going to expire on 13.11.1999, but the Commission has not yet been able to start functioning for the following reasons :-

1. Non-availability of essential infrastructure including suitable accommodation in Calcutta and manpower.
2. Long delay in the appointment of the Secretary to the Commission.
3. Non-availability of fund to the Commission for incurring the preliminary expenditure.

Till now, no accommodation is available for the Commission in Calcutta. No formal steps could be taken by the Commission for acquiring necessary accommodation and manpower until the appointment of the Secretary by the order dated 17.08.1999 of the Government of India, Ministry of Home Affairs. I took over charge of the Secretary on 19.08.1999. As you are aware, no accommodation for the Commission is available in any building of the Government of India in Calcutta. I am trying to get accommodation for the Commission in any suitable premises in Calcutta. As advised by you, I took up the matter with the Chairman-cum-Managing Director of the Cycle Corporation of India. In this connection, my letter dated 24.08.1999 may kindly be referred to. Subsequently, I wrote a d.o. letter dated 14.09.1999 to Shri S. P. Mukherjee, Chairman-cum-Managing Director of the Cycle Corporation of India, with a copy endorsed to



26 (u18)

you, requesting him to finalise the matter and communicate his decision as early as possible. Till now, no reply has been received from him.

I have also requested the Principal Secretary, Government of West Bengal, Public Works Department, to allot some vacant space for the Commission in any building of the Government of West Bengal. I have not yet received any reply to the letters dated 9.9.1999 and 14.9.1999 addressed to the Principal Secretary, Government of West Bengal, Public Works Department.

We got an offer of about 1675 Sq.ft. area on the first floor of the premises no. 203B, Acharya Jagadish Chandra Bose Road, Calcutta - 700 020 from its owner and I wrote to Shri Abhai Sinha, Superintending Engineer, Calcutta Circle -II, C.P.W.D. requesting him to assess the rent and issue a Rent Reasonableness Certificate. No reply has yet been received from the said Executive Engineer.

As it appears, it may take some more time to get a suitable office accommodation for the Commission in Calcutta. The Commission also needs some time to appoint officers and staff sanctioned by the order dated 2.6.1999.

In these circumstances, I am directed by the Hon'ble Chairman to request the Government of India to extend the term of the Commission by a further period of at least one year from 14.11.1999.

Considering the nature and wide scope of the matter of inquiry, the Commission is of opinion that a further term of one year is the bare minimum time necessary to complete the inquiry properly. It may also be taken into consideration that for ascertaining the truth the Commission may, in all probability, be required to visit different places not only in India but also abroad.

I am, therefore, directed to request you to kindly move the Government of India to extend the term of the Commission for a further period of at least one year from 14.11.1999.

Yours faithfully,



( P. K. Sengupta )



27/58 (1419)

JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
'B' Block (3rd Floor)  
11-A, Mirza Ghalib Street, Cal-87.

(Commission of Inquiry to inquire into  
the alleged disappearance of  
Netaji Subhas Chandra Bose)

STATUS REPORT  
as on 29.03.2000

1. The Central Government, vide its Notification No.S.O.339(E) dated 14th May, 1999 appointed a Commission of Inquiry comprising of Hon'ble Mr. Justice M.K. Mukherjee, a retired Judge of the Supreme Court of India, to inquire into all the facts and circumstances related to the disappearance of Netaji Subhas Chandra Bose in 1945 and subsequent developments connected therewith including:-

- (a) Whether Netaji Subhas Chandra Bose is dead or alive;
- (b) If he is dead, whether he died in the Plane crash, as alleged;
- (c) Whether the ashes in the Japanese temple are ashes of Netaji Subhas Chandra Bose;
- (d) Whether he has died in any other manner at any other place and, if so, when and how;
- (e) If he is alive, in respect of his whereabouts;

2. Besides, the Commission has been asked to examine the manner in which the exercise of scrutiny of publications touching upon the question of death or otherwise of Netaji Subhas Chandra Bose can be undertaken by the Central Government in the circumstances.

3. The initial term of six months of the Commission expired on 13.11.1999. But the Commission could not start functioning for the following reasons :

- (a) Non-availability of essential infrastructure including suitable accommodation in Calcutta and required man-power.
- (b) The Notification regarding appointment of the Secretary to the Commission was issued by the Central Government on 20th October, 1999.
- (c) Because of some procedural snags the Commission could not draw any amount of money upto the end of November, 1999.



4. The term of the Commission has been extended by another six months beyond 14.11.1999 under Notification No.S.O.1090(E) dated 14.11.1999.

5. The Notification inviting statement/memorandum in the form of affidavit was issued by the Commission on 3rd. December, 1999.

6. In view of inadequacy of statement/memorandum received by the Commission in response to its said Notification dated 3rd December, 1999 within the prescribed period of two months from the date of the Notification and having regard to representations received from various quarters asking for extension of time to submit statement/memorandum, the time for furnishing statement/memorandum was extended by the Commission till 7th day of March, 2000.

7. 40 statements/memorandums in the form of affidavit filed by or on behalf of 54 persons were received till 7th March, 2000. Besides, a large number of communications have been received in different Indian languages which are, however, not in the form of affidavit.

8. Shri Jayant Prasad, Joint Secretary, Ministry of External Affairs, South Block, New Delhi-110 011, Dr. Sukumar Sarkar, Director General, National Archives, Ministry of Human Resource Development (Department of Culture), Janpath, New Delhi, Shri G.B. Singh, Director (History Division), Ministry of Defence, 3/West Block-8, Wing-I, R.K. Puram, New Delhi, who are the nodal Officers of their respective Ministries have been asked by the Commission to furnish relevant particulars of all the files, in the custody or under the control of those Ministries, pertaining to Netaji Subhas Chandra Bose and I.N.A. A list of 990 files transferred by the Ministry of Defence, Government of India to the National Archives of India, has since been received. Ministry of Home Affairs was requested to send list of their approved translators for translation of different matters, written in Indian languages other than Bengali and English, into English.

9. During first half of March, 2000, Secretary to the Commission visited New Delhi, to make endeavour to get the relevant files and the entire records of the proceedings of Netaji Inquiry Committee, 1956 and Justice Khosla Commission of Inquiry into the alleged disappearance of Netaji.



He was made to understand that the number of files pertaining to Netaji/I.N.A. held by the Ministry of Defence, Government of India, was 990 and not 9,900 as claimed by some quarters. He also approached the relevant authorities for the Government approved list of translators and the scales of fees/remuneration for their works.

10. Meanwhile, the Commission, in exercise of its power under Section 8 of the Commissions of Inquiry Act 1952, has framed regulations to regulate its proceedings.

11. The Commission held its first hearing on 23rd March, 2000 at 12.00 noon in the Conference Hall of Block 'B' (5th floor), at 11-A, Mirza Ghalib Street, Calcutta-87. All the 54 persons, who had filed statements either jointly or severally, were requested to attend the hearing personally and/or through their authorised representative. About forty persons attended the hearing on 23.03.2000. The Government of India, Ministry of Home Affairs, was requested to send a representative of the Government or request the Additional Solicitor General stationed in Calcutta to attend the hearing on behalf of the Government of India. Shri R.N. Poddar, Jt. Secretary and Legal Advisor, Ministry of Law and Justice, Govt. of India attended the hearing on being requested by Ministry of Home Affairs.

12. After examining the statements of the parties and hearing them and/or their representatives regarding the modalities of the proceedings, the Commission made various Order/Directions. Action is being taken by the office in compliance with those Order/Directions, which are mostly concerning filing of relevant files/records/document irrespective of whether they are Top secret, Classified or Declassified, lying in the custody of Govt. of India and Govt. of West Bengal.



30 06/2000

**JUSTICE MUKHERJEE COMMISSION OF INQUIRY**

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

**NETAJI SUBHAS CHANDRA BOSE.**

‘B’ Block, (Third Floor)

11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

216-2765-68 & 216-2835

Fax :

216-2765

No. JMCI/Admn/99-2000/128-164

Calcutta, dated, the 31<sup>st</sup> March 2000

From : Shri P.K. Sengupta, WBHJS(Retd.)  
Secretary.

To : Ms. Sangeeta Goirala, IAS,  
Joint Secretary (Internal Security),  
Ministry of Home Affairs,  
Government of India, North Block,  
New Delhi 110 001

Subject : Extension of the terms of Justice M.K. Mukherjee Commission of Inquiry beyond 14.05.2000.

Madam,

I am directed to invite a reference to your Notification No. S.O.1090(E) dated 14.11.1999 published in the Gazette of India, Extraordinary, dated November 14, 1999 under which the term of Justice M.K. Mukherjee Commission of Inquiry was extended upto 14.05.2000. I am sending herewith an upto-date Status Report on the said Commission for your kind perusal. The reasons for which the Commission could not take off before December, 1999 were intimated to the Ministry in the Commission's letter No. nil dated 28.09.1999 (copy enclosed) and have been stated in the enclosed Status Report as on 29.03.2000.

I am further directed to say that the term of reference for Justice M.K. Mukherjee Commission of Inquiry are, you will definitely appreciate, so wide as to make it well nigh impossible to complete the inquiry within the remaining days of the extended term which expires on 14.05.2000. Besides, more than 40 statements supported by affidavit have been received, a considerable number of which disclose relevant material. These statements require a thorough probe. This number does not, however, include a large number of other correspondences, a few of which tend to disclose at least some material relevant to the inquiry. Further, for making a proper and extensive probe into the matter in order to ascertain the truth, the Commission may, in all probability, be required to visit different places not only in India but also abroad.

The first hearing of the Commission was held on 23.03.2000 and it may take some time for compliance with directions given by the Commission to the Government of India and individuals. Besides, efflux of a pretty long period of more than 54 years since

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alleged disappearance of Netaji Subhas Chandra Bose in August 1945, is likely to cause much hurdles and difficulties for this Commission in the matter of making available to it all the evidence - oral and documentary.

I am, therefore, directed to request you kindly to take necessary steps for extension of the term of Justice Mukherjee Commission of Inquiry atleast by a further period of one year from 14.05.2000.

This may kindly be treated as urgent and necessary Government Notification extending the term of the Commission for a further period of one year communicated at an early date so that the work of the Commission may continue without any break or interruption.

Yours faithfully,


  
(P.K. Sengupta)  
Secretary

No. JMCI/Admn/99-2000/128-164/1(2)

Calcutta, dated, the 31<sup>st</sup> March 2000

Copy forwarded for information and necessary action to :-

1. Sri A.K. Paitandi, IAS, Director (IS-I), Ministry of Home Affairs,  
Government of India, North Block, New Delhi 110 001
- ✓ 2. Sri S.N. Singh, Section Officer, JMCI (New Delhi),  
C/o. Sri V.P. Bhatia, Under Secretary to the Govt. of India,  
Ministry of Home Affairs, North Block,, New Delhi 110 001

  
(P.K. Sengupta)  
Secretary



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DATE: 03.04.2000 22:45:11 F2

**JUSTICE M. K. MUKHERJEE COMMISSION OF INQUIRY**  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
**NETAJI SUBHAS CHANDRA BOSE.**  
'B' Block, (Third Floor)  
11/A Mirza Ghalib Street, Calcutta 700 087

Phone  
218-2765-66 & 218-335  
Fax  
218-2766

No. MCIAAdmn/99-2000/128-164

Calcutta dated the 31<sup>st</sup> March 2000

From : Shri P.K. Sengupta, WBHS (Retd.),  
Secretary.

To : Ms. Sangeeta Goirala, IAS,  
Joint Secretary (Internal Security),  
Ministry of Home Affairs,  
Government of India, North Block,  
New Delhi 110 001

Subject : Extension of the term of Justice M.K. Mukherjee Commission of Inquiry beyond 14.05.2000

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The first hearing of the Commission was held on 23.03.2000 and it may take some time for compliance with directions given by the Commission to the Government of India and individuals. Besides, efflux of a pretty long period of more than 34 years since

JS (15-D)  
Dir (15-D)  
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alleged disappearance of Netaji Subhas Chandra Bose in August 1945, is likely to cause much hurdles and difficulties for this Commission in the matter of making available to it all the evidence - oral and documentary.

I am, therefore, directed to request you kindly to take necessary steps for extension of the term of Justice Mukherjee Commission of Inquiry atleast by a further period of one year from 14.05.2000

This may kindly be treated as urgent and necessary Government Notification extending the term of the Commission for a further period of one year commencing at an early date so that the work of the Commission may continue without any break or interruption.

Yours faithfully,

*[Signature]*

(P. K. Sengupta)  
Secretary

No. JMCI/Admn/99-2000/128-164/1(2)

Calcutta, dated the 31 March 2000.

Copy forwarded for information and necessary action to -

1. Sri A.K. Paitandi, IAS, Director (IS-I), Ministry of Home Affairs,  
Government of India, North Block, New Delhi 110 001
2. Sri S.N. Singh, Section Officer, JMCI (New Delhi),  
C/o. Sri V.P. Bhatia, Under Secretary to the Govt. of India,  
Ministry of Home Affairs, North Block, New Delhi 110 001

*[Signature]*

(P. K. Sengupta)  
Secretary



JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
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'B' Block, (Third Floor)  
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216-2765-61 & 216-1935  
Fax:  
216-2765

No. MCI/Admn/99-2000/128-164

Calcutta, dated, the 31<sup>st</sup> March 2000

From : Shri P.K. Sengupta, WBJS(Retd.)  
Secretary.

Ms. Sangeeta Goirala, IAS,  
Joint Secretary (Internal Security),  
Ministry of Home Affairs,  
Government of India, North Block,  
New Delhi 110 001

Subject : Extension of the term of Justice M.K. Mukherjee Commission of Inquiry beyond 14.05.2000.

Madam,

I am directed to invite a reference to your Notification No. S.O. 1090(E) dated 14.1.1999 published in the Gazette of India, Extraordinary, dated November 14, 1999 under which the term of Justice M.K. Mukherjee Commission of Inquiry was extended upto 14.05.2000. I am sending herewith an upto-date Status Report on the said Commission for your kind perusal. The reasons for which the Commission could not take off before December, 1999 were intimated to the Ministry in the Commission's letter No. nil dated 28.09.1999 (copy enclosed) and have been stated in the enclosed Status Report as on 29.03.2000.

I am further directed to say that the term of reference for Justice M.K. Mukherjee Commission of Inquiry are, you will definitely appreciate, so wide as to make it well nigh impossible to complete the inquiry within the remaining days of the extended term which expires on 14.05.2000. Besides, more than 40 statements supported by affidavit have been received, a considerable number of which disclose relevant material. These statements require a thorough probe. This number does not, however, include a large number of other correspondences, a few of which tend to disclose at least some material relevant to the inquiry. Further, for making a proper and extensive probe into the matter in order to ascertain the truth, the Commission may, in all probability, be required to visit different places not only in India but also abroad.

The first hearing of the Commission was held on 23.03.2000 and it may take some time for compliance with directions given by the Commission to the Government of India and individuals. Besides, efflux of a pretty long period of more than 54 years since

JS (IS-1)  
Dis (IS-1)

Pl. put up on file  
without delay.  
3.4.2000

Have Secy  
put up.

hi Bhola  
15.4.2000

This is the  
fax copy and  
no enclosures  
have been faxed.  
We will have  
to wait for  
the typed copy  
with encs.  
ASG/100



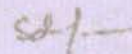
35 16 (427)

alleged disappearance of Netaji Subhas Chandra Bose in August 1945, is likely to cause much hurdles and difficulties for this Commission in the matter of making available to it all the evidence - oral and documentary

I am, therefore, directed to request you kindly to take necessary steps for extension of the term of Justice Mukherjee Commission of Inquiry atleast by a further period of one year from 14.05.2000.

This may kindly be treated as urgent and necessary Government Notification extending the term of the Commission for a further period of one year communicated at an early date so that the work of the Commission may continue without any break or interruption.

Yours faithfully,



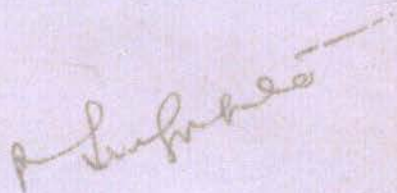
(P.K. Sengupta)  
Secretary

No. JMCI/Admn/99-2000/128-164/1(2)

Calcutta, dated, the 31<sup>st</sup> March 2000

Copy forwarded for information and necessary action to :-

- ✓ Sri A.K. Paitandi, IAS, Director (IS-I), Ministry of Home Affairs,  
Government of India, North Block, New Delhi 110 001
- 2 Sri S.N. Singh, Section Officer, JMCI (New Delhi),  
C/o. Sri V.P. Bhatia, Under Secretary to the Govt. of India,  
Ministry of Home Affairs, North Block, New Delhi 110 001



(P.K. Sengupta)  
Secretary



36

॥ भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड ॥ 11॥ में तारीख 14.5.2000 को प्रकाशनार्थ ॥

भारत सरकार  
गृह मंत्रालय

नई दिल्ली, तारीख मई, 2000

अधिसूचना

का.आ. ॥ अ॥ केन्द्रीय सरकार, जांच आयोग अधिनियम, 1952  
॥ 1952 का 60॥ की धारा 3 की उपधारा ॥ 1॥ द्वारा प्रदत्त शक्तियों  
का प्रयोग करते हुए भारत सरकार के गृह मंत्रालय की अधिसूचना सं. का.आ.  
339 ॥ अ॥ तारीख 14 मई, 1999 को <sup>संशोधित</sup> और संशोधन करती है, अर्थात् :-  
उक्त अधिसूचना के पैरा 4 के स्थान पर निम्नलिखित पैरा रखा जाएगा,  
अर्थात् :-

"4. आयोग अपनी रिपोर्ट केन्द्रीय सरकार को तथा संभव शीघ्र किन्तु  
14 मई, 2000 तक प्रस्तुत करेगा ।"

॥ संगीता गैरोला ॥

संयुक्त सचिव, भारत सरकार

॥ फा.सं. ॥ 11034/18/78-आई.एस.॥ डी-  
111॥

टिप्पण :- आयोग को नियुक्त करने वाली मूल अधिसूचना भारत के राजपत्र में  
सं. का.आ. 339 ॥ अ॥ तारीख 14-5-1999 द्वारा प्रकाशित हुई  
थी । और तत्पश्चात् इसे सं. का.आ. 1070 ॥ अ॥, तारीख 14.11.1999  
द्वारा संशोधित किया गया था ।

॥ संगीता गैरोला ॥

संयुक्त सचिव, भारत सरकार



37  
68 429  
(To be published in Part-II, Section 3, Sub-Section (ii) of the Gazette of India, Extraordinary dated the 14-05-2000)

**Government of India**  
**Ministry of Home Affairs**

\*\*\*\*

Notification New Delhi, dated, the May, 2000

**NOTIFICATION**

*Further*  
S.O.....(E).—In exercise of the powers conferred by sub-section (1) of section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Home Affairs number S.O. 339(E), dated, the 14<sup>th</sup> May, 1999, namely:-

In the said notification, for paragraph 4, the following paragraph shall be substituted, namely:-

"4. The Commission shall submit its report to the Central Government as soon as possible but not later than the 14<sup>th</sup> May, 2001".

(SANGITA GAIROLA)

JOINT SECRETARY TO THE GOVT. OF INDIA

*principal*  
(File No. VI/11034/18/98-IS (D.III))

Note: The *principal* notification appointing the Commission was published in the Gazette of India vide number <sup>S.O.</sup> 339(E) dated 14-5-1999 and subsequently amended vide number <sup>S.O.</sup> 1090(E) dated, 14-11-1999

(SANGITA GAIROLA)

JOINT SECRETARY TO THE GOVT. OF INDIA



38/19 (430)

**MOST IMMEDIATE**

No.VI/11034/18/98-IS (D.III)  
Government of India  
Ministry of Home Affairs  
IS-I Division

\*\*\*

New Delhi, the 12<sup>th</sup> May, 2000

To

The Manager,  
Government of India Press,  
Mayapuri,  
Ring Road,  
New Delhi

Subject:- Extension of the term of Justice Mukherjee Commission of Inquiry appointed to inquire into the alleged disappearance of Netaji Subhas Chander Bose - publication of Notification regarding.

Sir,

Enclosed please find a copy of a notification (both in Hindi and English) to be published in Part II, Section 3, Sub Section (ii) of the Gazette of India, Extraordinary dated 14-5-2000. It is requested that this notification may be published on 14-5-2000 and 50 copies thereof provided to this Ministry urgently for further necessary action.

2. It is also requested that S.O. No. allotted to this notification may be intimated to the undersigned urgently.

Yours faithfully,

(V.P. Bhatia)  
Under Secretary to the Govt. of India  
Tele No.301 5700

Recd.  
12/5/2000

(V.P. BHATIA)  
Under Secretary  
MHA



39 20 (431)

(To be published in Part-II, Section 3, Sub-Section (ii) of the Gazette of India, Extraordinary dated the 14-05-2000)

**Government of India**  
**Ministry of Home Affairs**

\*\*\*\*\*

New Delhi, dated, the <sup>14<sup>th</sup></sup> May, 2000

**Notification**

S.O.....(E). - In exercise of the powers conferred by sub-section (1) of section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Home Affairs number S.O. 339(E), dated, the 14<sup>th</sup> May, 1999, namely:-

In the said notification, for paragraph 4, the following paragraph shall be substituted, namely:-

"4. The Commission shall submit its report to the Central Government as soon as possible but not later than the 14<sup>th</sup> May, 2001".

*Sangita Gairola*  
(SANGITA GAIROLA)  
JOINT SECRETARY TO THE GOVT. OF INDIA

(File No.VI/11034/18/98-IS (D.III))

Note: The principal notification appointing the Commission was published in the Gazette of India vide number S.O. 339(E), dated 14-5-1999 and subsequently amended vide number S.O.1090(E) dated, 14-11-1999

*Sangita Gairola*  
(SANGITA GAIROLA)  
JOINT SECRETARY TO THE GOVT. OF INDIA

(संगीता गैरोला)  
(SANGITA GAIROLA)  
संयुक्त सचिव  
Joint Secretary  
मह. मन्त्रालय  
Ministry of Home Affairs  
नई दिल्ली  
New Delhi.



40 (432)

भारत के राजपत्र, असाधारण भाग 2, खंड 3, उपखंड iii में तारीख 14.5.2000  
को प्रकाशनार्थ ।

भारत सरकार  
गृह मंत्रालय

नई दिल्ली, तारीख 14 मई, 2000

अधिसूचना

क.आ. [अ] केन्द्रीय सरकार, जांच आयोग अधिनियम, 1952 [1952 का 60]  
की धारा 3 की उपधारा [1] द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के गृह  
मंत्रालय की अधिसूचना सं.क.अ.339 [अ] तारीख 14 मई, 1999 का निम्नलिखित और  
संशोधन करती है, अर्थात:-

उक्त अधिसूचना के पैरा 4 के स्थान पर निम्नलिखित पैरा रखा जाएगा,  
अर्थात:-

"4. आयोग अपनी रिपोर्ट केन्द्रीय सरकार को यथा संभव शीघ्र किन्तु 14 मई  
2001 तक प्रस्तुत करेगा।"

संगीता गैरोला

[ संगीता गैरोला ]

संयुक्त सचिव, भारत सरकार

[ फ.सं. 1/1/ 11034/18/98-आई.एस.डी-111 ]

टिप्पण:-

आयोग को नियुक्त करने वाली मूल अधिसूचना भारत के राजपत्र में सं.  
क.आ. 339 [अ] तारीख 14.5.1999 द्वारा प्रकाशित हुई थी । और  
तत्पश्चात् इसे सं.क.आ. 1090 [अ], तारीख 14.11.1999 द्वारा संशोधित  
किया गया था ।

संगीता गैरोला

[ संगीता गैरोला ]

संयुक्त सचिव, भारत सरकार

(संगीता गैरोला)

(SANGITA GAIROLA)

संयुक्त सचिव

Joint Secretary

गृह मंत्रालय

Ministry of Home Affairs

नई दिल्ली

New Delhi



4122 (433)

**No. VI/11034/18/98-IS (D.III)**  
**Government of India/Bharat Sarkar**  
**Ministry of Home Affairs/Grih Mantralaya**

New Delhi, 15th May, 2000

\*\*\*\*

I hereby authorise Shri R.N.Trivedi, Constable, Border Security Force (Holder of IC No. 160349) to obtain S.O.No. of Extraordinary Gazette Notification, delivered to the Government of India Press, Maya Puri, for publication on 14.05.2000, vide this Ministry's letter of even number dated 12.05.2000.

Manager,  
Government of India Press  
Maya Puri, New Delhi

*V.P. Bhatia*  
( V.P.BHATIA )  
Under Secretary

(वि.प. भट्टिया)  
(V. P. BHATIA)  
अवर सचिव  
Under Secretary  
गृह विभाग, MHA

S.O. No. — 462 (E)  
Issue date — 14-5-2000

*157572*



42 ~~73~~ (434)

**MOST IMMEDIATE**

No.VI/11034/18/98-IS (D.III)  
Government of India  
Ministry of Home Affairs  
IS-I Division

\*\*\*

New Delhi, the 12<sup>th</sup> May, 2000

To

The Manager,  
Government of India Press,  
Mayapuri,  
Ring Road,  
New Delhi


Subject:- Extension of the term of Justice Mukherjee Commission of Inquiry appointed to inquire into the alleged disappearance of Netaji Subhas Chander Bose - publication of Notification regarding.

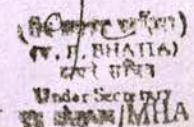
Sir,

Enclosed please find a copy of a notification (both in Hindi and English) to be published in Part II, Section 3, Sub Section (ii) of the Gazette of India, Extraordinary dated 14-5-2000. It is requested that this notification may be published on 14-5-2000 and 50 copies thereof provided to this Ministry urgently for further necessary action.

2. It is also requested that S.O. No. allotted to this notification may be intimated to the undersigned urgently.

Yours faithfully,

  
(V.P. Bhatia)  
Under Secretary to the Govt. of India  
Tele No.301 5700

  
(V.P. BHATIA)  
Under Secretary  
MHA

Recd.  
12/5/2000



43 ~~44~~ (435)

No. VI/11034/18/98-IS (D.III)  
Government of India/Bharat Sarkar  
Ministry of Home Affairs/Grih Mantralaya

New Delhi, 15th May, 2000

\*\*\*\*

I hereby authorise Shri R.N.Trivedi, Constable, Border Security Force (Holder of IC No. 160349) to obtain S.O.No. of the Extraordinary Gazette Notification, delivered to the Government of India Press, Maya Puri, for publication on 14.05.2000, vide this Ministry's letter of even number dated 12.05.2000.

  
( V.P.BHATIA )  
Under Secretary

Manager,  
Government of India Press  
Maya Puri, New Delhi



49 ~~5~~ BY FAX &  
Speed Post.

No.VI/110 34/18/98-IS(D.III)  
Government of India  
Ministry of Home Affairs

\*\*\*

New Delhi-110 001, dated the 24 May, 2000

To

Shri P K Sengupta,  
Secretary,  
Justice Mukherjee Commission of Inquiry,  
'B' Block (third floor)  
11/A Mirza Ghalib Street,  
Calcutta- 700 087

Subject:-EXTENSION OF THE TERM OF THE COMMISSION.

Sir,

I am directed to say that the Government of India through Notification of even number dated 14-5-2000 published in the Gazette of India Extraordinary vide S.O.462(E) have extended the term of the Commission for one year i.e. from 14-5-2000 to 14-5-2001. A copy of the Notification is sent herewith for information and necessary action.

Yours faithfully,

*[Signature]*

(V.P. BHATIA)

UNDER SECRETARY TO THE GOVT. OF INDIA

*[Signature]*

Pl. issue  
24/5  
13/6/01





# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 330 ]

नई दिल्ली, रविवार, मई 14, 2000/वैशाख 24, 1922

No. 330 ]

NEW DELHI, SUNDAY, MAY 14, 2000/VAISAKHA 24, 1922

गृह मंत्रालय

अधिसूचना

नई दिल्ली, 14 मई, 2000

का. आ. 462(अ).—केंद्रीय सरकार, जांच आयोग अधिनियम, 1952 §1952 का 60§ की धारा 3 की उपधारा §1§ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के गृह मंत्रालय की अधिसूचना सं.का.अ.339 §अ§ तारीख 14 मई, 1999 का निम्नलिखित और संशोधन करती है, अर्थात:-

उक्त अधिसूचना के पैरा 4 के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात:-

"4. आयोग अपनी रिपोर्ट केंद्रीय सरकार को यथा संभव शीघ्र किन्तु 14 मई 2001 तक प्रस्तुत करेगा।"

[फा. सं. VI/11034/18/98-आई. एस. (डी.-III)]

संगीता गैरोला, संयुक्त सचिव

टिप्पण:-

आयोग को नियुक्त करने वाली मूल अधिसूचना भारत के राजपत्र में सं. का.आ. 339 §अ§ तारीख 14.5.1999 द्वारा प्रकाशित हुई थी। और तत्पश्चात् इसे सं.का.आ. 1090§अ§, तारीख 14.11.1999 द्वारा संशोधित किया गया था।



4039/JS(15-1)/00

23/5

JS(15-1) on leave

Dir (15-1)  
23/5

**JUSTICE MUKHERJEE COMMISSION OF INQUIRY**  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
**NETAJI SUBHAS CHANDRA BOSE.**  
'B' Block, (Third Floor)  
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:  
216-2765-68 & 216-2835  
Fax:  
216-2765

No. JMCI/Admn./99-2000/32/79

Calcutta, dated, the 15th May, 2000.

From:  
Shri P.K. Sengupta, WBHJS (Retd.)  
Secretary.

To  
Smt. Sangeeta Goirala, IAS  
Joint Secretary (Internal Security),  
Ministry of Home Affairs,  
Govt. of India,  
North Block,  
New Delhi-110 001.

Sub: Extension of the term of Justice M.K.  
Mukherjee Commission of Inquiry  
beyond 14.05.2000.

Madam,

I am directed to invite a reference to this Office letter no. JMCI/Admn./99-2000/128-164 dated 31.03.2000 on the subject cited above and to say that the Commission is yet to receive the order of the Govt. extending its term beyond 14.05.2000.

I am, therefore, directed to request you kindly to ensure speedy action in this regard, so that the resultant difficulties stemming from the expiry of term on 14.05.2000 do not come in the way of functioning of the Commission.

Yours faithfully,

( P. K. Sengupta )  
Secretary

M. send a copy of  
the notification at once  
16m  
24/5

SMS



## MINISTRY OF HOME AFFAIRS

## NOTIFICATION

New Delhi, the 14th May, 2000

S. O. 462 (E).— In exercise of the powers conferred by sub-section (1) of section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Home Affairs number S.O. 339(E), dated, the 14<sup>th</sup> May, 1999, namely:-

In the said notification, for paragraph 4, the following paragraph shall be substituted, namely:-

"4. The Commission shall submit its report to the Central Government as soon as possible but not later than the 14<sup>th</sup> May, 2001".

[File No. VI/11034/18/98-IS (D. III)]

SANGITA GAIROLA, Jt. Secy.

Note:—The principal notification appointing the Commission was published in the Gazette of India vide number S.O. 339(E), dated 14-5-1999 and subsequently amended vide number S.O.1090(E) dated, 14-11-1999



48-79

ицс

Government of India  
Ministry of Home Affairs

To

Subject:-EXTENSION OF THE TERM OF THE COMMISSION.

Sir,

I am directed to say that the Government of India through Notification of even number dated 14-5-2000 published in the Gazette of India Extraordinary vide S.O.462(E) have extended the term of the Commission for one year i.e. from 14-5-2000 to 14-5-2001. A copy of the Notification is sent herewith for information and necessary action.

Yours faithfully,

(V. P. BHATIA)  
GOVT. OF INDIA

UNDER SECRETARY TO THE GOVT. OF INDIA

Ans 24/5

This image shows a blank, aged, cream-colored page, likely an endpaper or flyleaf of a book. The paper has a slightly textured appearance with some faint smudges and discoloration, characteristic of old paper. The left edge of the page shows the binding of the book, with visible stitching or staples. There is no text or other markings on the page.

1972



MESSAGE CONFIRMATION

MAY-24-00 15:05

18 80 (49) 4let

FAX NUMBER :

NAME :

FAX NUMBER : 0332162765

PAGE : 01

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RESULTS : O.K



45781 (442)  
50  
IMMEDIATE

No.VI/11034/18/98-IS (D.III)

Government of India

Ministry of Home Affairs

\*\*\*\*\*

New Delhi-110 001, the 18<sup>th</sup> August'2000

18 AUG 2000

To

The Chief Secretaries  
of all States/UT Administrations  
(as per list)

Subject: **Constitution of Justice Mukherjee Commission of Inquiry to inquire into the alleged disappearance of Netaji Subash Chandra Bose -- Extension of necessary facilities—Reg.**

—

Sir,

I am directed to say that the Government of India vide Notification of even number dated 14.5.1999, published in the Gazette of India (Extra-ordinary) as S.O. 339(E) (copy attached) have constituted a fresh Commission of Inquiry under the Commissions of Inquiry Act, 1952(60 of 1952) to inquire into the alleged disappearance of Netaji Subash Chandra Bose. The Commission is headed by Justice M.K.Mukherjee, a retired Judge of the Supreme Court of India, with headquarters at Calcutta. A camp office of the Commission is being set up at Vigyan Bhavan Annexe, New Delhi, also. The present term of the Commission is upto 14-5-2001 .

2. It may be seen that the terms of reference of the Commission are very wide. Further, the Commission has been requested by some key witnesses who have been associated with Netaji in some or the other capacity, to examine them and record their evidence at their places of residence, especially because they (witnesses) happen to be quite old and infirm at this stage. After deciding the request of the witnesses on merit, the Commission appoints a Commissioner and makes its schedule to examine



them as per their convenience. Accordingly, the officers of the Commission are required to visit different places in various states/UTs.

3. The Commission has, however, brought to the notice of this Ministry, the difficulties faced by their officers in some States as the concerned authorities could not extend to them facilities like accommodation, vehicle, etc., even on payments at prescribed rates.

4. It is requested that concerned protocol authorities may kindly extend necessary facilities mentioned above to the Commission whenever a request is made by them to that effect. The receipt of this letter may please be acknowledged.



Yours faithfully

*Sangita Gairola*  
(Sangita Gairola)

Joint Secretary to the Government of India  
o/c

No.VI/11034/18/98-IS(D.III)

Dated 18<sup>th</sup> August, 2000

Copy by speed post forwarded for information to Shri P.K. Sengupta, Secretary, Justice Mukherjee Commission of Inquiry, 11/A, Mirza Ghalib Street, B Block, 3<sup>rd</sup> floor, Calcutta.

Pl. issue main letter with endorsement.

18/8  
IS (WIL)



*A.K. Paitandy*  
(A.K. Paitandy)  
Director (IS-I)  
o/c



GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 14.5.99

S.O. 339...(E)- Whereas the Shah Nawaz Khan Committee and the Khosla Commission of Inquiry appointed by the Government of India in April, 1956 and July, 1970 respectively to inquire into and to report to the Government of India on the circumstances concerning the departure of Netaji Subhas Chandra Bose from Bangkok about the 16th August, 1945, his reported death as a result of an air craft accident, and subsequent developments connected therewith had come to the conclusion that Netaji Subhas Chandra Bose met his death in an air crash;

And, whereas there is a wide spread feeling among the public that the issue of finding the truth about Netaji's death still remains;

And, whereas there has been a consistent demand for a further inquiry into the matter;

And, whereas the Calcutta High Court also directed the Government of India for a vigorous inquiry in accordance with Law, if necessary, by appointing a Commission of Inquiry for the purpose of giving an end to this controversy;

And, whereas a Motion was adopted on 24.12.1998 by the West Bengal Legislative Assembly wherein a demand has been made for a fresh inquiry into the matter to remove the mystery regarding the whereabouts of Netaji Subhas Chandra Bose;

And whereas the Central Government is of the opinion that it is necessary to appoint a Commission of Inquiry for the purpose of making an indepth inquiry into a definite matter of a public importance, namely, the disappearance of Netaji Subhas Chandra Bose in 1945;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Commissions of Inquiry Act, 1952(60 of 1952), the Central Government hereby appoints a Commission of Inquiry consisting of Mr. Justice M.K. Mukherjee, a retired Judge of the Supreme Court of India.

2. The Commission shall inquire into all the facts and circumstances related to the disappearance of Netaji Subhas Chandra Bose in 1945 and subsequent developments connected therewith including:-

- (a) whether Netaji Subhas Chandra Bose is dead or alive;
- (b) if he is dead, whether he died in the plane crash,



*Handwritten notes and signatures in the top right corner, including a circled '53'.*

- as alleged;
- (c) whether the ashes in the Japanese temple are ashes of Netaji;
  - (d) whether he has died in any other manner at any other place and, if so, when and how;
  - (e) if he is alive, in respect of his whereabouts.

3. The Commission shall also examine the manner in which the exercise of Scrutiny of Publications touching upon the question of death or otherwise of Netaji can be undertaken by the Central Government in the circumstances.

4. The Commission shall submit its report to the Central Government as soon as possible but not later than six months from the date of publication of this notification.

5. The headquarters of the Commission shall be at New Delhi, and/or any other place as determined by the Commission.

6. The Central Government is of the opinion that, having regard to the nature of the inquiry to be made and other circumstances of the case, all the provisions of sub-section(2), sub-section(3), sub-section(4) and sub-section(5) of section 5 of the Commissions of Inquiry Act, 1952 (60 of 1952) should be made applicable to the said Commission and the Central Government in exercise of the powers conferred by sub-section(1) of the said section 5, hereby directs that all the provisions of the said sub-sections (2) to (5) of that section shall apply to the Commission.

*Handwritten signature and date: 14 May 99*  
(NIKHIL KUMAR)  
SPECIAL SECRETARY (ISP)

(F.No. VI/11034/18/98-IS(D.III))



2339/SS(IST) 26/3

1019/ISUSDI/26/3  
1169/SS(IST)-1/26/3  
26/3

**REGISTERED WITH A/D.**  
**JUSTICE MUKHERJEE COMMISSION OF INQUIRY**  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
**NETAJI SUBHAS CHANDRA BOSE.**  
'B' Block, (Third Floor)  
11/A Mirza Ghalib Street, Calcutta 700 087

**Phone:**  
Chairman - 216-2035  
Secretary - 216-2767  
Officer on  
Special Duty - 216-2765  
Office - 216-2766/68

No. JMCI/ Admn/99-2000/32/640.

Calcutta, dated, the 21.03.2001.

From : Shri P.K. Sengupta,  
Secretary

To : Ms. Sangita Gairola,  
Joint Secretary (IS),  
Ministry of Home Affairs, North Block,  
New Delhi-110001.

Sub : Extension of the term of Justice  
M.K. Mukherjee Commission of  
Inquiry beyond 14.05.2001.

Madam,

I am directed to invite a reference to your Notifi-  
cation No.S.O.462(E) dated 14.05.2000 published in the  
Gazette of India, Extraordinary, under which the term of  
Justice M.K. Mukherjee Commission of Inquiry was extended  
upto 14.05.2001. The reasons for which the Commission  
could not take off before December, 1999 were intimated to  
the Ministry in the Commission's letter No. Nil dated  
28.09.1999 as also stated in the Status Report as on  
29.03.2000 which was sent to the Ministry with Commission's  
letter No.JMCI/Admn/99-2000/128-164 dated March 31, 2000.

I am further directed to state as follows :

- (a) that the terms of reference for the Commission  
are not only considerably wide but also call  
for a thorough probe into matters which are  
older than half a century;
- (b) that the number of affidavits already received  
by the Commission is 58, most of which disclose  
relevant materials requiring thorough probes;
- (c) that a large number of correspondence have been  
received by the Commission, in language other  
than English and Bengali, which are yet to be  
translated into English and that such translation  
is a considerably time-consuming process;
- (d) that some of the affidavits disclosing relevant  
materials have already been sent to the Ministry  
for their comments which are yet to be received  
though a couple of months have already elapsed;

contd...P.2.



JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
NETAJI SUBHAS CHANDRA BOSE.  
'B' Block, (Third Floor)  
11/A Mirza Ghalib Street, Calcutta 700 087

Phone:

Chairman - 216-2935  
Secretary - 216-2767  
Officer on  
Special Duty - 216-2765  
Office - 216-2766/68

- : 2 : -

No. JMCI/

Calcutta, dated, the

- (e) that more such affidavits are expected to be sent to the Ministry from time to time for their comments;
- (f) that many of the files/records/documents, which are mostly pretty old records, called for from the Government of India in terms of Commission's orders/directions passed in different proceedings of the Commission including the first proceedings dated March 23, 2000 are yet to be received from the Government of India, vide our Status Report for the fortnight from 01.03.2001 to 15.03.2001 (copy enclosed);
- (g) that the inordinate delay in making such files/records/documents available to the Commission is consequently delaying the works of the Commission;
- (h) that a large number of important witnesses, many of whom are pretty old and physically infirm, are required to be examined by or on behalf of the Commission at different places of India convenient to them;
- (i) that in the past a number of such witnesses could be examined on Commission at different places and some of such witnesses could not ultimately be examined on Commission for various reasons while the coordinating efforts required to be made for each such programme are considerably time-consuming;
- (j) that for the purpose of its enquiry the Commission is required to visit London and some other foreign countries to examine various documents available in those countries and, if need be, to examine witnesses for which the Commission has already approached the Ministry of External Affairs, Government of India to do the needful; and
- (k) that no advance programme for recording evidence by or on behalf of the Commission as also for holding hearing of the Commission either in or outside India can possibly be drawn up legally pertaining to any date/period which falls beyond the extended term of

contd....P.3.



JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
NETAJI SUBHAS CHANDRA BOSE.  
'B' Block, (Third Floor)  
11/A Mirza Ghalib Street, Calcutta 700 087

56 27 448  
Phone:  
Chairman - 216-2035  
Secretary - 216-2767  
Officer on  
Special Duty - 216-2765  
Office - 216-2766/68

- : 3 : -

No. JMCIV

Calcutta, dated, the

the Commission while it requires at least two months to get a proposal for extension of the term of the Commission finalised and the required Government Notification published.

In view of the facts and circumstances stated above, I am directed to request you to kindly take necessary steps for extension of the term of Justice M.K. Mukherjee Commission of Inquiry at least for a further period of one year beyond 14.05.2001.

This may kindly be treated as urgent and necessary Government Notification extending the term of the Commission for a further period of one year with effect from 15.05.2001, communicated at an early date so that the work of the Commission may continue without any break or interruption.

Yours faithfully,

*P. K. Sengupta*  
(P. K. Sengupta)  
Secretary

*Encl: as stated above*



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57

Justice Mukherjee Commission of Inquiry  
for Inquiry into the alleged disappearance of  
Netaji Subhas Chandra Bose  
'B' Block (3rd floor)  
11A, Mirza Ghalib Street, Calcutta-700087.

STATUS REPORT

(From 01.03.2001 to 15.03.2001)

1. This Status Report is in continuation of the earlier Status Report forwarded under this office letter No. JMCI/Stat.Rept./99-2000/33A/600 dated 05.03.2001.
2. The programme for recording the evidence of Dr. (Col.) Lakshmi Sehgal on Commission at Kanpur on 26.03.2001, as requested by her, was finalised and all concerned were informed. Subsequently, there had been serious deterioration of the law and order situation in Kanpur. Reportedly, situation there is still very tense and not yet under control. The Under Secretary to the Government of U.P. requested the Commission over telephone to postpone the programme in view of the prevailing law and order situation there. The programme has accordingly been postponed with intimation to all concerned.
3. Extension of time for filing of a supplementary affidavit before the Commission in compliance with its orders/directions dated 25.01.2001 has been granted by the Hon'ble Chairman upto April 30, 2001 in terms of the prayer of the Home Secretary, Ministry of Home Affairs, Government of India, as contained in his letter No. 1/12014/13/2000-IS(D.III) dated 09.03.2001 (vide Commission's letter No. Affidavit/50/2000/629 dated March 14, 2001).
4. Notices have been sent for the next hearing of the Commission on April 4, 2001 (Wednesday), in lieu of 28.03.2001 as mentioned in the last Status Report, when, besides transacting other business, the Commission is likely to record the evidence of two witnesses who have been summoned.
5. Action is still awaited on the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/529 dated 21.02.2001 addressed to the Secretary, Ministry of Defence, Government of India as mentioned in the last Status Report.

6. Different important offices of the Government of India located

contd...P.2.



58 *[Handwritten signature]*

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in Kolkata as also the Ministry of Culture, Department of Education, Ministry of Finance, and Ministry of Law, Government of India, New Delhi, have been requested to send within six weeks, the names of suitable Government employees working under their respective Ministries/departments for their deputation to this Commission to work as Senior Research Officer, Senior Hindi Translator, etc. keeping in view the respective pay scales sanctioned by the Government and the qualification and experience for each post as stated in our said reference.

7. Response is still awaited to Commission's letter No. JMCI/GOC(FOR)/99-2000/56/503 dated 06.02.2001 addressed to the Secretary, Ministry of External Affairs, Government of India, regarding access of the Commission to peruse relevant documents concerning Netaji Subhas Chandra Bose/Indian National Army lying in different archives of the Russian Union as also in the archives within the residual territory of the erstwhile U.S.S.R.
8. The Commission has received xerox copies of Netaji's speech dated 18.08.1945, Secret No. 11/INC/45 dated 16.01.1946 of the Deputy Inspector General of Police, CIS, Bombay Province, and W.Mcwright's letter No. C-5 dated 19.02.1946 to Intelligence Bureau, H.D. New Delhi-3. No affidavit has yet been filed by the concerned Departments/Ministries of the Government of India about availability/ non-availability of other files/documents specifically called for in para (a) (iii) of its proceedings dated March 23, 2000.
9. The Commission has received xerox copies of File Nos. 23(156)/51-PM, 23(11)-56-57 PM, 249-INA, 273-INA, 138-INA and 265-INA Pt.1. No affidavit has yet been filed by the concerned Ministries/Departments of the Government of India about availability/non-availability of other files/documents specifically called for in para (a)(i) of its proceedings dated March 23, 2000.
10. Intelligence Bureau, Government of India, in their letter dated 27.09.2000 addressed to the Ministry of Home Affairs, with a copy endorsed to the Secretary of the Commission, stated, inter alia, that they had initiated the process of rechecking their old

contd...P.3.



59 45T-

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records much of which are on microfilms and prayed for time till mid-October, 2000 for stating the factual position in respect of availability/non-availability of records pertaining to Netaji/INA in a duly sworn affidavit to be filed by them before the Commission. No such affidavit has yet been filed.

11. A xerox copy of the affidavit filed before the Commission by Shri Sankari Prosad <sup>Banerjee</sup> Mukherjee, ex-Vice Chancellor of Burdwan University and ex-Head of the Department of Philosophy of Calcutta University has been sent by the Commission to the General Secretary, Ramkrishna Mission, Belur Math, Belur, Dist. Howrah, with the request to send their comments on paras 2, 3, and 4 of the said affidavit.

12. The attention of Dr. (Mrs.) Purabi Roy has been drawn to the article written by Shri Sudhi Ranjan Sen under the heading, "Find the Money" published in the Hindustan Times, Kolkata, on March 3, 2001 wherein she has been quoted to have referred to M15 Agent who later retired as a Colonel In-Charge of the I.N.A. and Dr. (Mrs.) Roy has been requested to furnish to the Commission the name, address, and other relevant particulars of the said M15 Agent.

Secretary, Ministry of Home Affairs, Government of India, New Delhi, 110001, contained in his letter No. 11711/13/2001 dated 02.03.2001 (file Commission's letter dated 14.12.2000 dated March 14, 2001).

P.L. 1913  
( P.K. Sengupta )  
Secretary

4. Notices have been sent for the first meeting on April 4, 2001 (Wednesday) at 11.00 AM, 2001 mentioned in the last Status Report. Other business, the Commission is likely to conduct if any witnesses are available.





# भारत का राजपत्र The Gazette of India

असाधारण  
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं. 676]

नई दिल्ली, रविवार, नवम्बर 14, 1999/कार्तिक 23, 1921

No. 676]

NEW DELHI, SUNDAY, NOVEMBER 14, 1999/KARTIKA 23, 1921

गृह मंत्रालय

MINISTRY OF HOME AFFAIRS

अधिसूचना

NOTIFICATION

नई दिल्ली, 14 नवम्बर, 1999

New Delhi, the 14th November, 1999

का. आ. 1090(अ).—केन्द्रीय सरकार, जांच आयोग अधिनियम, 1952 (1952 का 60) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के गृह मंत्रालय की अधिसूचना सं. का. आ. 339(अ) दिनांक 14 मई, 1999 में निम्नलिखित संशोधन करती है, अर्थात् :—

S.O. 1090(E).—In exercise of the powers conferred by Sub-section (1) of Section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Home Affairs number S.O. 339(E), dated the 14th May, 1999, namely :—

उक्त अधिसूचना के पैरा 4 के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात् :—

In the said notification, for paragraph 4, the following paragraph shall be substituted, namely :—

“4. आयोग अपनी रिपोर्ट केन्द्रीय सरकार को यथासंभव शीघ्र किन्तु 14 मई, 2000 तक प्रस्तुत करेगा।”

“4. The Commission shall submit its report to the Central Government as soon as possible but not later than the 14th May, 2000.”

[फा० सं०-VI/11034/18/98-आई०एस०(डी-III)]

[F.No. VI/11034/18/98-IS(D. III)]

संगीता गैरोला, संयुक्त सचिव

SANGITA GAIROLA, Jt. Secy.

टिप्पणी : आयोग को नियुक्त करने वाली अधिसूचना भारत के राजपत्र में सं० का० आ० 339(अ) तारीख 14-5-1999 में प्रकाशित हुई थी।

Note : The notification appointing the Commission was published in the Gazette of India vide number S.O. 339(E) dated 14-5-1999.



JUSTICE MUKHERJEE COMMISSION OF INQUIRY

Notes on p.41-42/N ante may please be perused.

2. This is regarding the request of Secretary, Justice Mukherjee Commission of Inquiry on alleged disappearance of Netaji Subhas Chandra Bose, for extending the term of the Commission.

3. The appointment of this Commission was announced vide Notification No.SO 339(E) dated 14.5.99 (p.369-370)/C). As per para 4 of that Notification the Commission is required to submit its report to the Central Government as soon as possible but not later than six months from the date of publication of the Notification i.e. not later than 14.11.99. However, in the absence of basic infrastructure and staff as also the accommodation for the office of the Commission at Calcutta, the Commission has not been able to make a headway. The handicaps/impediments of this type are usually always there whenever such new establishment, are set up. The Ministry, on its part, is already seized of these problems and the same are likely to be resolved shortly. Once the infrastructure and staff are in place things will definitely move in a positive manner.

4. The Secretary of the Commission keeping all factors in view has requested for an extension of one year beyond 14.11.99 i.e. upto 14.11.2000 for submission of the Commission's report to the Government. However, the idea is to get the report of the Commission as early as possible and, therefore, it may not be advisable to grant an extension of one year at a stretch at this stage. Moreover, the Commissions like Justice Jain Commission of Inquiry, Liberman Ayoudhya Commission of Inquiry, etc. were granted extensions in spells of six months only.

5. In the foregoing circumstances it is felt that an extension of six months i.e. from 14.11.99 to 14.5.2000 may be granted to the Commission for submission of its report.

*Singh*  
(S.N. SINGH)  
SECTION OFFICER(JMCI)  
6.10.1999

DIR(IS-I)

This concerns the proposal of the Mukherjee Commission of Inquiry for extension of its term. Notes from p.41-43/N ante explain the case. The Commission had been given time till 14.11.99 to submit its report. However, due to various teething problems, which every new set up has to face invariably, the Commission has not been able to cover much ground. These problems are being tackled by MHA as well as the Commission at various

Contd..44/-



levels and the things are expected to move in a positive direction shortly after the basic infrastructure and the staff are in place.

2. In view of the foregoing position, an extension of six months i.e. till 14.5.2000 seems to be reasonable as against one year requested by the Commission. Since such extensions to the Commissions have been granted with the approval of HM in the past, kind approval of HM may be obtained in the instant case also.

*[Signature]*  
7.10.99  
(A.K.Paitandy)  
Director (IS.I)  
7.10.99

*[Signature]*  
7.10.99

3082/15 (IS.I)  
Dr. No. 2961  
Date 7.10.99  
12/10  
155 (IS.I)

1939 Div 1982/99  
1/1

1534/15 (IS.I)  
1/1

Whether matters  
relate to account.  
- his staff has  
been sent out? *huk*

JS/IS I 9/11/99

He dismissed pl.  
put note on efforts  
made & latest status.

11-X-99

US(DIV)

A status note,  
as desired, is at  
slip 'A'.

12.10.99

JS (IS.I)

May pl. see status  
note at 'A'. The problem  
have been sorted out.

12.X.

L.K.A.  
28.10.99

*[Signature]*  
1.11.99  
No. 2965  
Date 14/11/99  
2923/15 (IS.I)  
15/10/99

SS (IS.P)  
HS/99

2923/15 (IS.I)  
15/10/99

JS (IS.I)

SS (IS.P)

Heads

~~Relate~~ Relate to suitable  
accommodation for the Commission,  
posting of staff including Secretary  
and release of funds have  
been sorted out. The note  
at F/A may kindly be seen.

The proposal at 'X'  
above by extension may  
kindly be approved.

*[Signature]*

14/11/99

14/10

*[Signature]*

4.5.10  
28/10

SS (IS.P) her 28/10

28/10/99

JS (IS.I)  
US (D-IV)



Hon'ble HM for his kind consideration /  
approval.

17.4.2000

Director (IS-I)

Justice Mukherjee Commission of Inquiry to inquire into the alleged disappearance of Netaji Subhas Chandra Bose was set up on 14.5.1999. The Commission got its first extension after the expiry of the initial six months and is now on its extended term. However, the extension is going to be over on 13.5.2000 and hence this proposal is for a further extension of one year with effect from 14.5.2000. The Commission has advanced reason for seeking this extension of which the following are material.

2. The Commission has since received 40 statements supported by affidavit. A considerable number of them is reportedly disclosing relevant material for the purpose of inquiry. These statements require a thorough probe. The Commission has held its first hearing on 23.3.2000 and given a series of directions compliance of which by the Government of India and individuals is expected to take time.

3. The Commission has further submitted that it may, in all probability, be required to visit different places in connection with its brief not only in India but also abroad. Besides, the Commission feels that since a long period of more than 54 years has elapsed, there may be hurdles and difficulties for the Commission in the matter of making available to it all the evidence- oral and documentary. The Commission has, therefore, requested an extension of a year.

4. The Commission's request appears to be well founded. Very recently, we have issued exhaustive communications to a number of quarters in the Government of India for lending assistance to the Commission in respect of a large number of old records. A sample copy of our communication to various Ministries including PMO in this connection may kindly be seen at flag-'A'. The entire process of collecting records and thereafter scrutiny of the same will invariably take Commission's time. Keeping in view all these aspects, the request of the Commission for an year's extension may be considered by the Government. We may have the approval of HM in the matter. Once we have the approval of HM, we will need to apprise the Ministry of Finance also in the matter, particularly because the extension of Commission's term will also result in the continuation of the infrastructure

Contd..50/-



and various temporary posts created for the assistance of the Commission. Incidentally, it may also be mentioned here that vide a separate communication received from the Commission, we have learnt that Justice Mukherjee will be taking a token amount of Re.1 per month as pay and other admissible allowances/perks excepting DA and CCA (flag-'B'). In the final analysis, the request of the Commission for an year's extension from 14.5.2000 now needs approval.

(A.K. Paitandy)  
Director (IS-I)  
18.4.2000

Sangita Jaisola  
18.4.2000

19/4/2000

L. K. A.  
20.4.2000

Sangita Jaisola  
21.4.2000

Please take further prompt action quickly  
Li Bhakia / US (DIV)  
21.4.2000  
Dir (IS-I)

Dir (IS-I)

F-525/151 (IS-2) 2000  
18/4

F-1094/55 (IS-2) 2000  
19/4

F-1602/145/2000 (IS-2) 2000  
20.4.2000

F-226/Dir (IS-2) 2000  
20/4

24/4  
GNS



65  
11-5-2001  
(To be published in Part-II, Section 3, Sub-section (ii) of the  
Gazette of India, Extraordinary dated the 14.5.2001)

**Government of India**  
**Ministry of Home Affairs**

\* \* \* \*

New Delhi, dated, the 14<sup>th</sup> May, 2001.

**Notification**

S.O.....(E).— In exercise of the powers conferred by sub-section (1) of section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Home Affairs number S.O. 339(E), dated, the 14th May, 1999, namely :-

In the said notification, for paragraph 4, the following paragraph shall be substituted, namely :-

"4. The Commission shall submit its report to the Central Government as soon as possible but not later than the 14th May, 2002".

( SANGITA GAIROLA )  
JOINT SECRETARY TO THE GOVT. OF INDIA

(File No. VI/11034/18/98-IS(D.III)

Note : The principal notification appointing the Commission was published in the Gazette of India vide number S.O. 339(E), dated 14.5.1999 and subsequently amended vide number S.O. 1090 (E) dated 14.11.1999 and S.O.No. 462(E) dated 14.5.2000.

( SANGITA GAIROLA )  
JOINT SECRETARY TO THE GOVT. OF INDIA



66

MOST IMMEDIATE

No. VI/11034/18/98-IS (D.III)  
Government of India/Bharat Sarkar  
Ministry of Home Affairs  
IS-I Division

\*\*\*\*

New Delhi, dated , the 14<sup>th</sup> May, 2001

To,

The Superintendent  
Translation-1 Section  
Official Language  
Legislative Commission  
Indian Institute of Law Building  
Bhagwan Das Road  
New Delhi

**Sub:** Translation of notification dated 14<sup>th</sup> May 2001.

Sir,

Enclosed please find a copy of notification to be published in Gazette of India, Extra-ordinary in part-II, Section 3, Sub-section (ii) dated 14<sup>th</sup> May 2001. This notification has been duly vetted by the Ministry of Law & Justice, Legislative Department.

2. It is requested that Hindi version of this notification may be provided urgently as the notification is be sent to the Government of India Press today itself. A copy of the earlier notification is enclosed for facility of reference.

Yours faithfully



(V.P.BHATIA)

UNDER SECRETARY TO THE GOVT. OF INDIA

Enclosure:- As above



67

( To be published in Part- II, Section 3, Sub-section (ii) of the Gazette of India, Extraordinary dated the 14.05.2001)

**Government of India**

**Ministry of Home Affairs**

\*\*\*\*\*

New Delhi, dated, the 14<sup>th</sup> May, 2001.

**Notification**

S.O.....(E)- In exercise of the powers conferred by sub-section (1) of section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Home Affairs number S.O. 339 (E), dated, the 14<sup>th</sup> May, 1999, namely:-

In the said notification, for paragraph 4, the following paragraph shall be substituted, namely:-

“4. The Commission shall submit its report to the Central Government as soon as possible but not later than the 14<sup>th</sup> May, 2002.”

**(SANGITA GAIROLA)**  
**JOINT SECRETARY TO THE GOVT. OF INDIA**

(File No. VI/11034/18/98- IS (D.III))

Note : The principal notification appointing the Commission was published in the Gazette of India vide number S.O. 339 (E), dated 14.05.1999 and subsequently amended vide number S.O. 1090 (E) dated 14.11.1999 and S.O.No. 462 (E) dated 14.5.2000.

**(SANGITA GAIROLA)**  
**JOINT SECRETARY TO THE GOVT. OF INDIA**





# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 330 ]

नई दिल्ली, रविवार, मई 14, 2000/वैशाख 24, 1922

No. 330 ]

NEW DELHI, SUNDAY, MAY 14, 2000/VAISAKHA 24, 1922

गृह मंत्रालय

अधिसूचना

नई दिल्ली, 14 मई, 2000

का. आ. 462(अ).—केंद्रीय सरकार, जांच आयोग अधिनियम, 1952 §1952 का 60§ की धारा 3 की उपधारा §1§ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के गृह मंत्रालय की अधिसूचना सं.का.अ.339 §अ§ तारीख 14 मई, 1999 का निम्नलिखित और संशोधन करती है, अर्थात:-

उक्त अधिसूचना के पैरा 4 के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात:-

"4. आयोग अपनी रिपोर्ट केंद्रीय सरकार को यथा संभव शीघ्र किन्तु 14 मई 2001 तक प्रस्तुत करेगा।"

[फा. सं. VI/11034/18/98-आई. एस. (डी.-III)]

संगीता गैरोला, संयुक्त सचिव

टिप्पण:-

आयोग को नियुक्त करने वाली मूल अधिसूचना भारत के राजपत्र में सं. का.आ. 339 §अ§ तारीख 14.5.1999 द्वारा प्रकाशित हुई थी। और तत्पश्चात् इसे सं.का.आ. 1090§अ§, तारीख 14.11.1999 द्वारा संशोधित किया गया था।



## MINISTRY OF HOME AFFAIRS

## NOTIFICATION

New Delhi, the 14th May, 2000

S. O. 462 (E).—In exercise of the powers conferred by sub-section (1) of section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Home Affairs number S.O. 339(E), dated, the 14<sup>th</sup> May, 1999, namely:-

In the said notification, for paragraph 4, the following paragraph shall be substituted, namely:-

"4. The Commission shall submit its report to the Central Government as soon as possible but not later than the 14<sup>th</sup> May, 2001".

[File No. VI/11034/18/98-IS (D. III)]

SANGITA GAIROLA, Jt. Secy.

Note:—The principal notification appointing the Commission was published in the Gazette of India vide number S.O. 339(E), dated 14-5-1999 and subsequently amended vide number S.O.1090(E) dated, 14-11-1999



भारत सरकार  
विधि, न्याय और कंपनी कार्य मंत्रालय  
(विधायी विभाग)  
राजभाषा खंड

70  
462

भारतीय विधि संस्थान भवन,  
भगवानदास रोड, नई दिल्ली।

अधिसूचना/आदेश/शुद्धिपत्र/नियम/विनियम का हिंदी पाठ

..... मंत्रालय ..... विभाग  
उपयुक्त विषय में कृपया अपना पत्र सं. IV/11034/18/98-ES (D. III)  
तारीख 14-5-2001 का अवलोकन करें। उक्त अधिसूचना/आदेश/शुद्धिपत्र/नियम/विनियम के अनूदित हिंदी  
पाठ की एक प्रति संलग्न है।

अनुवाद के लिए सामग्री भेजते समय कृपया निम्नलिखित बातों पर अवश्य ध्यान दें :-

1. अपना टेलीफोन नम्बर अवश्य लिखें।
2. तत्काल प्रकृति की फाइलें 12 बजे अपराह्न (2.00) से पूर्व भेजें व सुसंगत कागजात सदैव प्तोक्ति करके भेजें।
3. अनुवादार्थ भेजी गई सामग्री के अंग्रेजी पाठ की विधि, न्याय और कंपनी कार्य मंत्रालय के विधायी विभाग से सम्यक रूप से विधीक्षा करवा लेने के पश्चात् उक्त अंग्रेजी पाठ की एक अतिरिक्त स्वच्छ टंकित प्रति यथाविधीक्षित अंग्रेजी पाठ और तत्संबंधी की गई नोटिंग आदि की फोटो कॉपी की एक प्रति के साथ ही भेजें।
4. उस मूल अधिसूचना/आदेश/नियम/विनियम की, जिसका संशोधन किया जा रहा है और उनमें किए गए पश्चात्तर्ती संशोधनों की, यदि कोई हो, अंग्रेजी और हिंदी प्रति संदर्भ हेतु अवश्य भेजें।
5. यदि संशोधनकारी अधिसूचना/शुद्धिपत्र/नियम/विनियम आदि तकनीकी/वैज्ञानिक प्रकृति के हैं तो कृपया उनका अनुवाद अपने स्तर पर कराकर उपलब्ध कराएं।

R. Naras

एस० एल० श्रीवास्तव

अधीक्षक


टेलिफोन नं. 3388231

विभाग

726

..... मंत्रालय .....  
विधि, न्याय और कंपनी कार्य मंत्रालय, राजभाषा खंड डा.सं. 14/5/2001 (अनुवाद-1)  
तारीख 14-5-2001





(भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (ii) में तारीख 14.5.2001 को  
प्रकाशनार्थ)

भारत सरकार  
गृह मंत्रालय

नई दिल्ली, तारीख 14 मई, 2001

अधिसूचना

का0आ0 (अ) केन्द्रीय सरकार, जांच आयोग अधिनियम, 1952 (1952 का 60 ) की धारा 3 की  
उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के गृह मंत्रालय की अधिसूचना सं0  
का0आ0 339 (अ) तारीख 14 मई, 1999 का निम्नलिखित और संशोधन करती है, अर्थात :-

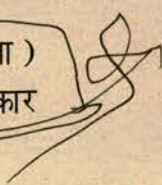
उक्त अधिसूचना के पैरा 4 के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात :-

"4. आयोग अपनी रिपोर्ट केन्द्रीय सरकार को यथा संभव शीघ्र किन्तु 14 मई, 2002 तक प्रस्तुत  
करेगा।"

(संगीता गैरोला )  
संयुक्त सचिव, भारत सरकार  
फा0सं0 VI/11034/18/98-आई.एस.(डी-III)

**टिप्पण:-**आयोग को नियुक्त करने वाली मूल अधिसूचना भारत के राजपत्र में सं0 का0आ0 339 (अ) तारीख  
14.5.1999 द्वारा प्रकाशित हुई थी और तत्पश्चात् इसे सं0 का0आ0 1090 (अ), तारीख  
14.11.1999 तथा सं0 का0आ0 462 (अ), तारीख 14.5.2000 द्वारा संशोधित किया गया था।

(संगीता गैरोला )  
संयुक्त सचिव, भारत सरकार







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असाधारण

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PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 308 ]

नई दिल्ली, सोमवार, मई 14, 2001/वैशाख 24, 1923

No. 308]

NEW DELHI, MONDAY, MAY 14, 2001/VAISAKHA 24, 1923

गृह मंत्रालय

MINISTRY OF HOME AFFAIRS

अधिसूचना

NOTIFICATION

नई दिल्ली, 14 मई, 2001

New Delhi, the 14th May, 2001

का. आ. 429 (अ).—केन्द्रीय सरकार, जांच आयोग अधिनियम, 1952 (1952 का 60) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के गृह मंत्रालय की अधिसूचना सं. का. आ. 339(अ) तारीख 14 मई, 1999 का निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना के पैरा 4 के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात् :—

“4. आयोग अपनी रिपोर्ट केन्द्रीय सरकार को यथा संभव शीघ्र किन्तु 14 मई, 2002 तक प्रस्तुत करेगा।”

[ फा. सं. VI/11034/18/98-आई. एस. (डी-III) ]

संगीता गैरोला, संयुक्त सचिव

टिप्पण :—आयोग को नियुक्त करने वाली मूल अधिसूचना भारत के राजपत्र में सं. का. आ. 339(अ), तारीख 14-5-1999 द्वारा प्रकाशित हुई थी और तत्पश्चात् इसे सं. का. आ. 1090(अ), तारीख 14-11-1999 तथा सं. का. आ. 462(अ), तारीख 14-5-2000 द्वारा संशोधित किया गया था।

S.O. 429(E).—In exercise of the powers conferred by sub-section (1) of section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Home Affairs number S.O. 339(E), dated the 14th May, 1999, namely :—

In the said notification, for paragraph 4, the following paragraph shall be substituted, namely :—

“4. The Commission shall submit its report to the Central Government as soon as possible but not later than the 14th May, 2002.”

[F. No. VI/11034/18/98-IS(D-III)]

SANGITA GAIROLA, Jt. Secy.

Note :—The principal notification appointing the Commission was published in the Gazette of India vide number S.O. 339(E), dated 14-5-1999 and subsequently amended vide number S.O. 1090(E), dated 14-11-1999 and S.O. No. 462(E), dated 14-5-2000.



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JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
NETAJI SUBHAS CHANDRA BOSE.  
'B' Block, (Third Floor)  
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835  
Secretary - 252-2767  
Officer on  
Special Duty - 252-2765  
Office - 252-2766/68

e-mail : jmcinsecb@cal.3.vsnl.net.in

No. JMCII/Admn/99-2000/32/623

Kolkata, dated, March 21, 2002

From : Shri P.K. Sengupta  
Secretary

To : Ms. Sangita Gairola,  
Joint Secretary (IS),  
Ministry of Home Affairs,  
Government of India,  
New Delhi-110001.

1125/02/ISUS/DIV  
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Sub : Extension of the term of Justice  
M.K. Mukherjee Commission of  
Inquiry beyond 14.05.2002.

Madam,

I am directed to refer to the Notification No.  
S.O.429(E) dated 14.05.2001 of the Ministry of Home Affairs,  
Government of India under which the term of Justice M.K. Mukherjee  
Commission of Inquiry was extended upto 14.05.2002. The reasons  
for which the Commission could not take off before December 1999  
had been intimated in details on 28.09.1999 and 31.03.2000.

I am further directed to state as follows :-

- (a) As observed in earlier communications on the same subject, that the terms of reference of the Commission are not only considerably wider, but also call for thorough probe into the matters which are more than half a century old ;
- (b) That the number of affidavits already received by the Commission is 64 (including 6 from Government Officers); that more affidavits are likely to be admitted in future on merits and that most of the affidavits already received disclose relevant materials requiring thorough probe ;
- (c)(i) That the Commission moved the Ministry of Home Affairs, Government of India, by its letter No. JMCII/Admn./99-2000/32(Vol.II)/355 dated November 21,



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jmcinseba@cal.3.vsnl.net.in

Fax :  
0091-033-252-2765

- 2 -

No. JMCI/

Kolkata, dated,

2000 for sanction of additional posts of staff for the Commission's Office in Kolkata and New Delhi including the posts of two full-time Senior Research Officers and one full-time Senior Hindi Translator ; The Ministry of Home Affairs, Government of India sanctioned 5(five) additional posts including the said 3 (three) posts on condition that the posts were to be filled up on deputation basis only, but unfortunately no name of suitable deputationists were received from different Government Departments, Universities, Statutory bodies, etc. who were requested in writing to send names and bio-data of suitable candidates for consideration for filling up the posts. Then Ministry of Home Affairs was requested to relax the condition of filling up the posts by deputation and allow the Commission to fill up the post by appointing on contract basis persons aged 45 years and above. The Ministry of Home Affairs by their letter No.I/12014/2/99-IS(D.III) dated August 14, 2001 conveyed their approval to filling up those additional posts on contract basis, subject to a rider that while issuing appointment letters Ministry for Law and Justice, Department of Legal Affairs, Branch Secretariat, Kolkata, may be consulted so as to ensure that the appointment on contract basis does not become a permanent liability for the Government ;

- (ii) That the Joint Secretary and Legal Adviser, Government of India, Department of Legal Affairs, Branch Secretariat, Kolkata, was approached by Commission's letter No.JMCI/Apptt./99-2000/30/494 dated January 3, 2002 to get vetted a draft appointment letter to be issued in regard to the



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- 3 -

No. JMCII/

Kolkata, dated,

appointments of Shri Ashok Kumar Banerjee and Shri Dulal Kumar Mitra, both retired Government employees, to the posts of Senior Hindi Translator and Steno Grade 'D' respectively. Their no objection in this regard was communicated by their U.O. Note No.125/2002-ADV(Cal) dated 06.02.2002. The Commission is yet to get clearance of the other case referred to him.

- (iii) That a large number of correspondence/matters have been received by the Commission in languages other than Bengali and English, which are yet to be translated into English; that such translation is considerably a time-consuming process and that the Senior Hindi Translator, the only Officer of the Commission sanctioned for the purpose, could be appointed and could join the Commission very recently ;
- (d) That some of the affidavits and supplementary affidavits disclosing relevant facts/materials have been sent to different Ministries for their comments as also for furnishing authenticated true copies of the relevant documents referred to and relied upon therein which are yet to be received by the Commission. More such affidavits and supplementary affidavits are expected to be sent to the Ministries from time to time for similar action ;
- (e) That many of the files/records/documents, which are mostly pretty old records, called for from the Government of India in terms of orders/directions passed from time to time as also in different proceedings of the Commission including the first proceeding dated 23.03.2000 are yet to be received from the Government of India ;



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- 4 -

No. JMCI/

Kolkata, dated,

- (f) That the inordinate delay in making such files/records/documents available to the Commission is consequently retarding the progress of the works of the Commission ;
- (g) That a large number of important witnesses, many of whom are pretty old and physically infirm, are required to be examined by or on behalf of the Commission at different places of India convenient to them ;
- (h) That in the past a number of such witnesses could be examined by or on behalf of the Commission at different places and some of such witnesses could not ultimately be examined for various reasons while the coordinating efforts required to be made for each such programme are considerably time-consuming ;
- (i) That the team of the Commission comprising the Hon'ble Chairman, the Secretary and the representative of the National Archives of India visited London as early as July, 2001 but the National Archives of India as per their undertaking is yet to procure Micro-films/Micro-fiches of the documents/files earmarked by the team of the Commission and send them to the Commission for necessary scrutiny thereof ;
- (j) That the Commission by its letter No. JMCI/Overseas-Witnesses/2000-01/70/28 dated 17.04.2001 addressed to the Secretary, Ministry of External Affairs, Government of India, submitted a revised proposal for visit



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Fax : 0091-033-252-2765

- 5 -

No. JMCI/

Kolkata, dated,

of the Commission to Japan and by its letter No. JMCI/Overseas-Witnesses/2000-01/70/408 dated November 13, 2001, addressed to the Secretary, Ministry of External Affairs, Government of India, submitted a composite proposal in the interest of economy of time and money for visit of the Commission to Japan and Taiwan to examine relevant witnesses available there and also to visit the places there relevant for the purpose of inquiry of the Commission ; and that the said visit to Japan and Taiwan are yet to be finalised ;

- (k) That for the purpose of its inquiry, the Commission is required to visit some other foreign countries to examine various documents available in those countries and if need be, to examine witnesses available there for which the Commission has already approached the Ministry of External Affairs, Government of India, to do the needful ;
- (l) That the nature and extent of impediments faced by the Commission may perhaps be all the more appreciated on perusal of the relevant paras of the Status Report as on 19.03.2002 (forenoon) (copy enclosed) besides those stated herein-before ;
- (m) That no advance programme for recording evidence by or on behalf of the Commission as also for holding hearing of the Commission either in or outside India can possibly be drawn up legally on any day which falls beyond the extended term of the Commission while it takes at least two months to get a proposal for extension of the term of the Commission approved and the necessary Notification published by the Government .



JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
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- 6 -

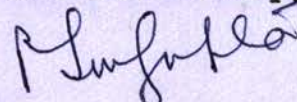
No. JMCI/

Kolkata, dated,

In view of the facts and circumstances stated above, I am directed to request you to kindly take necessary steps for extension of the term of Justice M.K. Mukherjee Commission of Inquiry at least for a further period of one year beyond 14.05.2002.

This may kindly be treated as urgent and necessary Government Notification extending the term of the Commission for a further period of one year with effect from 15.05.2002 may be kindly communicated at an early date so that the work of the Commission may continue without any break or interruption.

Yours faithfully,



( P. K. Sengupta )  
Secretary

Enclosure : As stated above.



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1471

Status Report as on 19.03.2002 (forenoon) showing action taken on/compliance with orders/directions including those contained in the proceedings dated December 20, 2001 read with the proceedings dated 23.03.2000, 13.06.2000, 31.08.2000, 28.09.2000, 23.11.2000, 22.12.2000, 17.01.2001, 04.04.2001, 13.06.2001, and 17.10.2001 of the Commission.

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1. Copies of the Status Report as on 12.12.2001 and copies of the proceedings dated 19.12.2001 and 20.12.2001 have been sent to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, Ministry of Defence, as also to the Director, Intelligence Bureau, and the Director General, National Archives of India under Commission's letter No.JMCI/Meeting-Proceedings (Follow Up)/48(Vol.III)/514(7) dated 16.01.2002 sent to them by Registered Post with A/D for their kind information and favour of taking necessary action.
2. As early as on September 5, 2001 the Director General of National Archives, Government of India, was requested by Commission by its d.o. No.JMCI/DOC(FOR)/99-2000/56(Vol.II)/286 of that date to inform the Commission whether they have obtained the Micro-Films/Micro-Fiches of the files/documents which were earmarked by the team of the Commission after their study of the relevant files/documents in the British Library and the Public Records Office and also authenticated xerox copies of the entire File No.K 148/A of Mountbatten papers in the Hartley Library of the Southampton University, all of which they (National Archives) undertook to furnish to the Commission. Even though six months have since elapsed those documents are yet to be received by the Commission.
3. The Secretary, Ministry of Home Affairs, Government of India, was requested by Commission's letter No.JMCI/Records/N.Delhi/99-2000/37/305 dated September 18, 2001 to let the Commission know immediately what action was taken on the Rajya Sabha Starred Question No. DY. 2198 by Shri K.R. Malkani, M.P. due for answer on 06.03.1996 as mentioned at notesheet page 1 of Prime Minister's Office File No.915/II/C/6/96-Pol. as also on the letter dated November 20, 1996 of Shri Ramkrishna Hegde



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addressed to the then President of India, indicating the results of the said actions. The Secretary, Ministry of Home Affairs was also requested in the said letter of the Commission to send to the Commission within six weeks an authenticated xerox copy of the information furnished by the Government of U.K. as stated in the letter dated 12.03.1999 of the Ministry of Home Affairs, appearing at cor.page 196 of the said file of the Prime Minister's Office. Copies of the aforesaid notesheet page and cor.page were enclosed with the Commission's said letter dated September 18, 2001. The information and documents called for are still awaited.

4. Further affidavit, as called for from the Ministry of Defence, Government of India, by Commission's letter No.JMCI/Record/-N.Delhi/99-2000/37/57 dated May 3, 2001 regarding existence/non-existence/availability/non-availability/destruction, etc. of the complete records of the proceedings of the trial of I.N.A. personnel, is still to be submitted by the said Ministry before the Commission.
5. A xerox copy of the report captioned, "Sleeping Bomb lies in Netaji Vault" authored by Shri Chandan Nandy was sent to the Secretary, Ministry of Home Affairs, Government of India, with Commission's letter No.JMCI/Records/N.Delhi/99-2000/-37/108 dated 28.05.2001 in terms of the letter No.10/SPS-11/-2001(20)-306 dated 17.05.2001 of the Cabinet Secretariat, Government of India, and the Secretary, Ministry of Home Affairs, was requested to furnish a detailed report on the contents of the said article of Shri Chandan Nandy which was published in the "Telegraph", Calcutta on March 26, 2001. The response of the Ministry of Home Affairs, Government of India, in the matter is still awaited.
6. In Commission's letter No.JMCI/Meeting-Hearing/99-2000/-57(Vol.II/349 dated October 8, 2001 certain anomalies noticed in the photo copy of File No.915/II/C/6/96-Pol. of the Prime Minister's Office were pointed out to the Secretary of the Prime Minister's Office with the request to furnish necessary explanation/clarification in respect of the said anomalies within eight weeks from the date of receipt of the



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letter. The said letter appears to have been received in the Prime Minister's Office on December 12, 2001. Their reply is still awaited.

- 7.(a)(i) Shri Jayant Prasad, Joint Secretary, Ministry of External Affairs, prayed for two months' time at the time of his examination as a witness before the Commission on December 20, 2001, for filing a supplementary affidavit detailing the developments that have taken place since he filed his affidavit dated 14.12.2001 regarding availability of documents from foreign countries. The Hon'ble Chairman considered and allowed the prayer with the direction that he should also state in his supplementary affidavit whether there is any classified documents relating to the terms of reference of the Commission.
- (a)(ii) The Director (CNV), Ministry of External Affairs, Government of India, in his d.o. letter No.25/4/NGO-Vol.VII dated February 21, 2002 addressed to the Secretary of the Commission has stated inter alia : "following the scrutiny of records" being relied upon by different deponents "It was found that only one document - a record of the interview of the then Ambassador to U.S.S.R., Shri K.P.S. Menon, with Stalin - pertained to this Ministry."
- (a)(iii) The said record of the interview of Shri K.P.S. Menon with Stalin received by the Commission on February 7, 2002 from the Ministry of External Affairs, Government of India, in a sealed cover was opened and read by the Hon'ble Chairman, resealed in his presence and sent back to the Ministry of External Affairs on February 11, 2002 as the Hon'ble Chairman found the said record of interview to be having no relevance whatsoever to any of the terms of reference of this Commission.
- (a)(iv) A supplementary affidavit sworn by Shri Jayant Prasad, Joint Secretary (CNV), Ministry of External Affairs, Government of India, has been received on March 4, 2002 by the Commission. In this affidavit the said Joint Secretary has stated, inter alia, that there is no other documents in the Ministry, whether classified or unclassified, relating to the terms of



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reference of this Commission; that the Indian Mission in Washington has informed the Ministry of External Affairs, Government of India that all documents once declassified by the U.S. Government are no longer retained by them and are normally stored in the National Archives, Library of Congress or other similar documentation centres; that the classified documents of the U.S. Government can be requisitioned under the U.S. Freedom of Information Act, only by giving specific details of the documents; and that the said Indian Mission has further conveyed that this is a tardy and complicated process.

- 7.(b) At the time of her examination before the Commission as a witness on December 20, 2001, Smt. Sangita Gairola, Jt. Secy., MHA, stated inter alia that a small Committee headed by the Deputy Secretary of the Ministry of Home Affairs has been formed by the Ministry to find out further relevant records and stated that they would require another two months to continue the inquiry to find out other relevant documents. Even though the said period of two months has expired, the result of the said inquiry by the Ministry of Home Affairs is still awaited.
8. On a petition filed on behalf of the Commission the Hon'ble Allahabad High Court (Lucknow Bench) has passed an order on February 6, 2002 and permitted the Commission to bring to its head office in Calcutta the sealed box containing the documents and articles selected by the Commission and kept in a Steel Box, out of the articles and documents allegedly belonging to 'Gumnami Baba' and kept in the Steel Boxes in the District Treasury of Faizabad. Steps could not be taken to bring the said box containing the said selected articles and documents from the District Treasury of Faizabad to the Commission's head office in Calcutta with proper and adequate Police escort before completion of the elections to the Legislative Assembly of the U.P. which commenced on February 14, 2002. After completion of the said elections, some steps were taken for the aforesaid purpose; but the efforts in this regard had to be suspended because of the reported law and order situation in Faizabad. The efforts will be renewed as soon as the situation there becomes normal.



*[Handwritten marks and scribbles]*

9. The Secretary, Prime Minister's Office, has been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(Vol.II)/536 dated 29.01.2002 to kindly send to the Commission immediately authenticated xerox copies of the rules and procedures prescribed for destruction of files/documents since it appears from the purported xerox copies of file No.23(156)/51-PM of the Prime Minister's Office as also from their communication dated September 21, 2001 that a number of papers/files of the said office were destroyed.
10. It has been stated inter alia in the affidavit dated December 19, 2001 of Smt. Sangita Gairola, Joint Secretary (IS-I), Ministry of Home Affairs, Government of India :

"The averments and allegations made therein (i.e. in the affidavits and supplementary affidavits concerned) are matters of records and subject to the consideration by the Hon'ble Commission. Some of the records available with this Ministry have been made over to the Hon'ble Commission and some others have been discovered with this affidavit (i.e. her affidavit dated December 19, 2001) for consideration by the Hon'ble Commission; and that she has further stated therein that "the Ministry of Home Affairs has also taken up the matter with Ministry of External Affairs, Ministry of Defence, Intelligence Bureau, National Archives of India, and Prime Minister's Office, to go through the documents and if necessary submit an affidavit to the Commission directly."

Hence, the Secretaries of the Ministry of External Affairs, the Prime Minister's Office, and the Ministry of Defence as also the Director of Intelligence Bureau, and the Director General of National Archives of India have been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(Vol.II)/537 dated 29.01.2002 to send their respective affidavits immediately regarding the averments and allegations made in the relevant affidavits and supplementary affidavits of different deponents, the copies of which were furnished by the Commission with the Ministry of Home Affairs, Government of India.



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11. (a) The Secretary, Ministry of Home Affairs, Government of India, has been requested by Commission's confidential letter No. JMCI/Records/2000-01/37(II)/533 dated January 28, 2002 to let the Commission know what was the outcome of the action, if any, taken on U.O. No. 800/6/C/I/90-Pol. dated September 21, 1990 of the Prime Minister's Office addressed to Shri Naresh Chandra, the then Home Secretary, Government of India, wherewith a copy of the letter dated September 13, 1990 of Shri Amiya Nath Bose addressed to Shri V.P. Singh, the then Prime Minister of India and of the enclosure thereto which is a xerox copy of the news titled, "Fresh Clue on Netaji's Death" published in the "Times of India" (New Delhi) dated September 3, 1990 were sent to the Home Secretary, Government of India, for appropriate action. It was also stated in the said letter dated 28.01.2002 of the Commission that the said letter dated September 13, 1990 of Shri Amiya Nath Bose with its enclosure and the said note dated September 21, 1990 are available in File No. 800/6/C/I/90-Pol. of the Prime Minister's Office, on the subject, "Netaji Subhas Bose - Bringing in the ashes of".

(b) The Secretary, Ministry of External Affairs, Government of India, has been requested by Commission's confidential letter No. JMCI/Records/2000-01/37(II)/532 dated January 28, 2002 to let the Commission know as quickly as possible what was the outcome of the action, if any, taken on U.O. No. 800/6/C/I/90-Pol. dated May 23, 1990 of the Prime Minister's Office endorsed to the Joint Secretary (EA), Ministry of External Affairs, Government of India, wherewith copies of the letter dated May 11, 1990 of Shri Amiya Nath Bose, the reply dated May 19, 1990 thereto given by Shri R. Sen, Joint Secretary of the Prime Minister's Office as also of the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India jointly authored by Shri Ashok Nath Bose, Shri Amiya Nath Bose and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, were sent to bring those to the attention of the Ministry of External Affairs, Government of India. It was stated



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in the said letter of the Commission that xerox copies of the aforesaid letters and the note are available in the File No.800/6/C/I/90-Pol. of the Prime Minister's Office.

- (c) The Director, Press Information Bureau, Government of India, has been requested by Commission's confidential letter No.JMCI/Records/2000-01/37(II)/531 dated January 28, 2001 to find out and furnish this Commission with an authenticated true copy of the Press statement, if any, of Mahatma Gandhi which is alleged in the letter dated May 4, 1990 addressed to Shri V.P. Singh, the then Prime Minister of India, authored jointly by Shri Ashok Nath Bose, Shri Amiya Nath Bose, and Shri Subrata Bose, all nephews of Netaji Subhas Chandra Bose, to have been made in 1945 by Mahatma Gandhi to the effect that Netaji did not die in any air-crash on August 18, 1945, after he spoke in detail to Col. Habibur Rahman regarding alleged death of Netaji in an air-crash on August 18, 1945.
- (d) A xerox copy of a letter dated May 4, 1990 of Sarbashree Ashok Nath Bose, Amiya Nath Bose, and Subrata Bose addressed to Shri V.P. Singh, the then Prime Minister of India, which appears at cor.pages 3 to 5 of file No. 800/6/C/1/90-Pol., of the Prime Minister's Office on the subject, "Netaji Subhas Bose - Bringing in the ashes of" has been sent to the Secretary, Ministry of External Affairs, Government of India, with Commission's confidential letter No.JMCI/Records/2000-01/37(II)/529 dated January 28, 2002 with the request to kindly procure and furnish this Commission as quickly as possible with an authenticated true copy of the report of the American Intelligence Party, as referred to in the said letter dated May 4, 1990, which allegedly went to Taihoku airport from Mc. Arthur's headquarters to make inquiries about the alleged air-crash at Taihoku on August 18, 1945.
12. During the visit of the Commission to London in July, 2001 some of the files of the Intelligence and Security Agencies of the Government of the U.K. relating to the relevant period were not allowed to be perused by the Commission on



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the ground that those were classified confidential files under the order of the Lord Chancellor. The matter was taken up by the Hon'ble Chairman at personal level with the Lord Archer who assured the Commission that he would take up the matter with the Lord Chancellor. The letter dated December 1, 2001 of the Lord Chancellor addressed to the Lord Archer shows inter alia that those confidential files would not be made available to the Commission and that those files contain no information which is not already made available to the Commission. Lord Archer has been requested by the Hon'ble Chairman in his d.o. No. JMCI/Chairman's Correspondence/2000-01/71/541 dated January 31, 2002 to kindly impress upon the Lord Chancellor to give the Commission an access to those retained papers which may, hopefully, furnish some materials regarding the alleged disappearance of Netaji Subhas Chandra Bose and thereby remove all sorts of speculations and doubts in this regard. The request has not yet been heeded to.

- 13.(a) Shri Jarnail Singh, Joint Secretary to the Prime Minister's Office, has been requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/543 dated February 1, 2002 to clarify immediately to the satisfaction of the Commission his statement made in his affidavit dated December 18, 2001 filed before the Commission on December 20, 2001 that the Prime Minister's Office : "is not in a position to provide any clarifications/explanation regarding the circumstances under which Late Morarji Desai, the then Prime Minister, had made such statement on the floor of the Parliament" viz., "some further contemporary official documentary records have also become available", in view of the notes and remarks at cor. pages 26 and 27 of the Secret File No. 2/64/78-PM on the subject, "N.S.C. Bose" received by the Commission from the Prime Minister's Office which appear to show that there were official documents, notes and orders which led the then Prime Minister, Shri Morarji Desai, to make the said statement on August 28, 1978, on the floor of the Parliament (Lok Sabha).



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- (b) The Secretary, Prime Minister's Office was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/-37(II)/535 dated January 29, 2002 to send to the Commission immediately authenticated xerox copies of the Parliamentary proceedings (Lok Sabha) dated August 28, 1978 as also of the notes of the Prime Minister's Office on the subject matter discussed in the Lok Sabha on August 28, 1978 including the matter of disappearance of Netaji Subhas Chandra Bose on which Late Morarji Desai, the then Prime Minister, made his statement on the floor of the Lok Sabha on August 28, 1978.

The Director (LARTIS) Lok Sabha Secretariat, New Delhi, as requested by the Prime Minister's Office in PMO ID. No. Pt.915/11/C/2/2000-Pol. dated 25.02.2002 has been requested to send immediately authenticated xerox copies of the Parliamentary proceedings (Lok Sabha) dated <sup>August</sup>~~September~~ 28, 1978 and of other papers, if any, connected therewith.

- ✓ 14. The Secretaries, Ministry of Home Affairs, and Ministry of Information and Broadcasting, Government of India, have been furnished with a copy of the d.o. letter dated February 3, 1978 of Shri R.C. Mazumder (renowned historian) addressed to Shri Morarji Desai, the then Prime Minister of India and of the notes of Shri Mazumder annexed thereto appearing at cor. pages 16 to 20 of the Secret File No. 2/64/78-PM of the Prime Minister's Office and were requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(II)/542 dated February 1, 2002 to kindly furnish the Commission as quickly as possible with documents or authenticated xerox copies thereof relevant to the various contentions of the said letter of Shri Mazumder which appear to be relevant to the terms of reference of the Commission. The documents/authenticated copies called for from them are awaited.
- ✓ 15. The Secretary, Ministry of Home Affairs, Government of India, has been requested by the Commission's letter No. JMCI/Records/-N.Delhi/99-2000/37(II)/534 dated January 29, 2002 to make available for perusal of the authorised representative(s) of the Commission, Vol. Nos. XVIII, XIX, and XXII and other Volumes (excepting first 17 Volumes) along with other relevant



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files/documents/records pertaining to the Khosla Commission which have not yet been sent to this Commission. The response of the Ministry of Home Affairs in the matter is awaited.

16. In reply to d.o. letter No.25/4/NGO-Vol.VII dated December 18, 2001 of the Director, (C.N.V.), Ministry of External Affairs, Government of India, the Secretary of the Commission by his d.o. No.JMCI/Overseas-Witnesses/2000-01/70/499 dated January 9, 2002 has intimated the Director, (C.N.V.) that the Commission proposes to visit Japan in the second half of March, 2002 and that the tour programme in details will be drawn up and communicated to the Ministry of External Affairs after receiving the requisite details sought for by the Commission from them.

In reply to two d.o. letters both bearing No.25/4/NGO-Vol.VII dated February 21, 2002 regarding proposed visit of the Commission to Japan to examine - (a) the Witnesses in Japan, and (b) the Witnesses in Taiwan respectively of the Director (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission, the Secretary, Ministry of External Affairs has been stated inter alia by Commission's letter No.JMCI/Overseas-Witnesses/2000-01/70/600 and No.JMCI/Overseas-Witnesses/2000-01/70/601 both dated March 14, 2001 that the Commission does not possess any further details of the witnesses in Taiwan and has been requested to explore all resources at the disposal of the Ministry of External Affairs to get the addresses and further details of the witnesses in Taiwan and to expedite the matter so that the Commission can visit Japan and Taiwan for examination of <sup>the</sup> witnesses available there and inspect the places relevant to the points of inquiry as quickly as possible.

- 17.(a) The Commission by its letter No.JMCI/Records/N.Delhi/99-2000/37/559 dated February 18, 2001 has requested the Secretary, Ministry of External Affairs, Government of India, to kindly send a report to this Commission as quickly as possible on the following points :

- (a) What are the records of the U.N.O. examined and whether those are exhaustive on the subject of War Criminals of the Second World War ?

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(b) Who are the present custodians of those records examined; and

(c) Whether the name of Shri Subhas Chandra Bose was ever included in any of the lists of War Criminals and, if so, when and under what circumstances the said name was deleted from such list/lists.

(b) The Secretary, Ministry of External Affairs, Government of India, was requested by Commission's letter No. JMCI/Records/N.Delhi/99-2000/37/375 dated October 22, 2001 to send as early as possible, preferably by the end of November, 2001, an authenticated true copy of the reply of the U.N. Secretariat to the purported formal request of the permanent Mission of India, New York, made to the U.N. Secretariat and an authenticated true copy of the documents based on which Indian Mission in Tokyo sent their confirmation as stated in the letter No. U II/103/1/98 dated October 15, 2001 of the Director, Ministry of External Affairs, Government of India.

The Director (CNV), Ministry of External Affairs, Government of India, with his d.o. letter No. 25/4/NGO-Vol. VII dated February 21, 2002 addressed to the Secretary of the Commission which has been received on 01.03.2002 has claimed to have sent a copy of the note recorded by an Officer of the rank of First Secretary of the Indian Mission in New York as also "authenticated true copies of documents based on which our Mission (i.e. Indian Mission) in Tokyo had sent the confirmation <sup>that</sup> Netaji Subhas Chandra Bose's name did not figure in any list of War Criminals." Those documents are being examined by the Commission.

✓ 18. As early as August 23, 2001, the Commission by its letter No. JMCI/Meeting-Proceedings (Follow Up)/48(Vol. II)/274 dated August 23, 2001 requested the Secretary, Ministry of Home Affairs, Government of India, to let the Commission know, within six weeks from the date of receipt thereof which of the files/records/documents mentioned in para (a)(i) and (a)(iii) of the proceedings dated March 23, 2000 of the Commission pertain to the Prime Minister's Office, which of



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them pertain to the Ministry of Defence and which of them pertain to the Ministry of External Affairs, Government of India, to enable the Commission to take further action in the matter. No reply has yet been received from the Ministry of Home Affairs, Government of India.

- ✓ 19. By Commission's letter No.JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/228 dated August 1, 2001 sent by Registered Post with A/D. to the Ministry of Home Affairs, Government of India, it has been stated that it is not clear from their letter No.I/12014/10/2001-IS(D.III) dated July 4, 2001 whether or not the Ministry of Home Affairs, Government of India, is at all concerned in the matter of furnishing the documents mentioned and relied upon by the deponents referred to in Commission's letter No.JMCI/Affidavit-Averments (Follow Up)/2000-2001/-67/132 dated May 30, 2001 and they were requested to file a supporting affidavit in the matter by an Officer, not below the rank of Joint Secretary of the Department within four weeks from the date of receipt of this letter. A reminder was sent to the Ministry of Home Affairs, Government of India by Commission's letter No.JMCI/Affidavit-Averments (Follow Up)/2000-2001/67/320 dated September 20, 2001 wherein they were also requested to indicate the name of the authority concerned of the Government of India against each of the documents mentioned and relied upon by the said deponents since those particulars are essentially required by the Commission to pursue effectively with the authorities concerned of the Government of India as advised by the Ministry of Home Affairs in the aforesaid letter dated July 4, 2001 for production before the Commission their respective documents concerned. The said report and the affidavit are yet to be received by the Commission from the Ministry of Home Affairs, Government of India.
- ✓ 20.(a) The Secretary, Ministry of Home Affairs has been requested to report to the Commission the action taken by the Government of India for verification of the news of imprisonment of Netaji in Russia as mentioned in cor.page 112 of Secret File No. 2(64)/56-68-PM of the Prime Minister's Office, the details of verification actually made and outcome thereof.



- ✓ (b) The Secretary, Ministry of Home Affairs, Government of India, has also been requested to send an authenticated true copy of the news which claimed that Netaji Subhas Chandra Bose had spoken from Moscow radio after the Taskent Agreement as mentioned at cor.page 153 of the Secret File No.2(64)/56-68-PM of the Prime Minister's Office, the full text of the radio speech, the full particulars of the student in the name of Subhas Chandra who allegedly made the broadcast and the true copy of the report sent by the Radio Moscow authority in the matter.
- ✓ (c) The Secretaries, Ministry of Home Affairs, and Ministry of External Affairs, Government of India, has been requested to report to the Commission the details of action taken on the letter dated 15.10.1970 of Shri M.L. Sondhi, M.P. (Lok Sabha) addressed to Shri V.V. Giri, the then President of India which is lying at cor.pages 177 and 177(a) of Prime Minister Office's Secret File No.2(64)/56-68-PM and the outcome thereof since the said letter appears to contain some important matters relevant for the purpose of inquiry of the Commission.
- 21.(a) The Secretary, Ministry of External Affairs, Government of India, has been requested to report to the Commission immediately the outcome of the action referred to in para 2 of the d.o. letter dated January 30, 1970 of the Director (EA), Ministry of External Affairs, addressed to Sri Srinivasabardhan, Joint Secretary, Ministry of Home Affairs, Government of India, lying at cor.page 27 of the Prime Minister Office's Secret File No.2(64)/56-70/PM-Pol. Vol.V as also to send authenticated xerox copies of the relevant documents, if any, received from the U.K., the U.S.A., the U.S.S.R., and Japan by the Ministry of External Affairs as a result of the action taken by them.
- ✓ (b) The Secretaries, Ministry of Home Affairs, and Prime Minister's Office, Government of India, have been requested to send to the Commission true copies of Vols. I and II of Prime Minister Office's File No.F-2(64)/56-66-PM and of Prime Minister's Office File No.2(67)/56-62-PM, referred to



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in U.O. Note dated 04.08.1972 of the Prime Minister's Secretariat sent to the Ministry of Home Affairs, Government of India, lying at cor.page 64 of Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol.V and in the Khosla Commission's d.o. letter dated July 5, 1974 which is lying at cor.page 144 of Prime Minister Office's said Secret File.

✓ (c) The Secretary, Ministry of Home Affairs, has been requested to report to the Commission immediately the action taken on the points made by Shri Samar Guha in his d.o. letter dated December 21, 1973 addressed to the Prime Minister (vide cor.pages 116 to 122) of Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol. V, other than those points of the said d.o. letter specifically dealt by Shri Tandon, Joint Secretary to the Prime Minister in his U.O. No. PMS-370 dated 05.01.1974 vide cor.page 164 of the said file.

(d) The Secretary, Prime Minister's Office is being requested to report immediately whether any reference was made by the Prime Minister's Office to the head of the Department, out of which the Prime Minister's Secretariat was created and/or to the head of the Department which became the custodian of the two documents mentioned at sub-paras (1) and (2) of the d.o. letter dated January 1, 1974 of the Private Secretary to the Prime Minister addressed to the Director, Nehru Memorial Museum and Library (vide cor.page 123 of Prime Minister Office's Secret File No. 2(64)/56-70-PM. Vol. V), consequent upon the creation of the Prime Minister's Secretariat, to locate the said two vital documents referred to at sub-paras (1) and (2) of the aforesaid d.o. letter dated January 1, 1974.

✓ (e) The Secretaries, Ministry of Home Affairs, and the Prime Minister's Office are being requested to send to the Commission immediately an authenticated true copy of the answer of the Government to the Lok Sabha Starred Question D. No.3424 (vide cor. page 132) of the Prime Minister Office's Secret File No.2(64)/56-70-PM. Vol. V as also of the Government notes on the supplementaries regarding the said Lok Sabha Questions.

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22. The documents received from different Archives in the Russian Federation by the Russian Foreign Office at the behest of the Indian Mission in Moscow and sent to the Commission by the Ministry of External Affairs, Government of India, along with their English translation of those documents are required to be scrutinized by the Commission on getting proper verification of the correctness of the said English translation with the help of suitable translators from Russian to English. The Commission has already got some names of such translators.
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**MOST IMMEDIATE**

**No.VI/11034/18/98-IS(D.III)  
Government of India/Bharat Sarkar  
Ministry of Home Affairs  
IS-I Division**

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**New Delhi, the 13<sup>th</sup> May, 2002**

**To**

**The Manager,  
Government of India Press,  
Mayapuri,  
Ring Road,  
New Delhi.**

**Subject:- Extension of the term of Justice Mukherjee Commission of Inquiry appointed to inquire into the alleged disappearance of Netaji Subhas Chandra Bose – publication of Notification regarding.**

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Sir,

Enclosed please find a copy of a notification (both in Hindi and English) to be published in Part-II, Section 3, Sub Section (ii) of the Gazette of India, Extraordinary dated 14.5.2002. It is requested that this notification may be published on 14.5.2002 and 50 copies thereof provided to this Ministry urgently for further necessary action.

2. It is also requested that S.O. No. allotted to this notification may be intimated to the undersigned urgently.

Yours faithfully,

(B.R. Dhiman)

Under Secretary to the Govt. of India.

Tele. No. 3013700

अवर सचिव  
Under Secretary  
गृह मंत्रालय  
Ministry of Home Affairs  
नई दिल्ली.  
New Delhi.

**Enclosure: As above**



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**Government of India**

**Ministry of Home Affairs**

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New Delhi, the 14 May, 2002.

**Notification**

S.O.....(E) – In exercise of the powers conferred by sub-section (1) of section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Home Affairs number S.O. 339(E), dated the 14<sup>th</sup> May, 1999, namely :-

In the said notification, for paragraph 4, the following paragraph shall be substituted, namely :-

“4. The Commission shall submit its report to the Central Government as soon as possible but not later than the 14<sup>th</sup> May, 2003.”

*Sangita Gairola*

(SANGITA GAIROLA)

**JOINT SECRETARY TO THE GOVT. OF INDIA**

[File No. VI/11034/18/98-IS (D.III) ]

**Note :** The principal notification appointing the Commission was published in the Gazette of India vide notification number S.O. 339(E), dated 14.05.1999 and subsequently amended vide notifications number (i) S.O. 1090(E), dated 14.11.1999; (ii) S.O.No. 462(E), dated 14.05.2000; and (iii) S.O.No. 429(E) dated 14.05.2001.

*Sangita Gairola*

(SANGITA GAIROLA)

**JOINT SECRETARY TO THE GOVT. OF INDIA**

(संगिता गैरोला)  
(SANGITA GAIROLA)  
संयुक्त सचिव  
Joint Secretary  
संयुक्त सचिव/महा



(96) 727

(भारत के राजपत्र, असाधारण भाग II, खंड 3, उप खंड (ii) तारीख 14-5-2002 में प्रकाशनार्थ)

भारत सरकार

गृह मंत्रालय

नई दिल्ली, दिनांक 14 मई, 2002

**अधिसूचना**

का. आ. (अ) केंद्रीय सरकार, जांच आयोग अधिनियम, 1952 (1952 का 60) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के गृह मंत्रालय की अधिसूचना सं० का०आ० 339 (अ), तारीख 14 मई, 1999 में निम्नलिखित और संशोधन करती है, अर्थात:-

उक्त अधिसूचना के पैरा 4 के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात:-

"4. आयोग अपनी रिपोर्ट केंद्रीय सरकार को यथा संभवशीघ्र किन्तु 14 मई, 2003 तक प्रस्तुत करेगा।"

संगीता गैरोला

(संगीता गैरोला)

संयुक्त सचिव, भारत सरकार

[फा.सं. vi-11034/18/98-आई.एस.(डी.II)]

टिप्पणी:-

आयोग को नियुक्त करने वाली अधिसूचना भारत के राजपत्र में अधिसूचना सं० का० आ० 339 (अ), तारीख 14-5-1999 द्वारा प्रकाशित की गई थी और तत्पश्चात् उसमें अधिसूचना सं० (1) का० आ० सं० 1090 (अ) तारीख 14-11-1999 (ii) का० आ० सं० 462 (अ) तारीख 14-5-2000 और (iii) का० आ० सं० 429 (अ) तारीख 14-5-2001 द्वारा संशोधन किए गए।

संगीता गैरोला

(संगीता गैरोला)

संयुक्त सचिव, भारत सरकार

(संगीता गैरोला)  
(SANGITA GAIROLA)

संयुक्त सचिव

Joint Secretary

गृह मंत्रालय/MHA



असाधारण

भारत के राजपत्र, भाग 2, खंड 3, उपखंड ॥ii॥ तारीख 14-5-2002 में  
प्रकाशनार्थ

भारत सरकार

गृह मंत्रालय

नई दिल्ली, तारीख 2002

अधिसूचना

का० आ० ॥अ॥ केन्द्रीय सरकार, जांच आयोग अधिनियम, 1952  
॥ 1952 का 60 ॥ की धारा 3 की उपधारा ॥1॥ द्वारा प्रदत्त शक्तियों  
का प्रयोग करते हुए भारत सरकार के गृह मंत्रालय की अधिसूचना सं० का०आ०  
339॥अ॥, तारीख 14 मई, 1999 में निम्नलिखित और संशोधन करती है,  
अर्थात् :-

उक्त अधिसूचना के पैरा 4 के स्थान पर निम्नलिखित पैरा रखा  
जाएगा, अर्थात् :-

" 4. आयोग अपनी रिपोर्ट केन्द्रीय सरकार को यथा सम्भवशीघ्र किन्तु  
14 मई, 2003 तक प्रस्तुत करेगा ।"

॥ संगीता गैरोला ॥  
संयुक्त सचिव, भारत सरकार

॥फा०सं० vi/11034/18/98-आईएसडी 11॥॥

टिप्पणी:- आयोग को नियुक्त करने वाली अधिसूचना भारत के राजपत्र में  
अधिसूचना सं० का० <sup>आ</sup> 339॥अ॥, तारीख 14-5-1999 द्वारा प्रकाशित की गई थी और तत्पश्चात् उसमें अधिसूचना सं० ॥1॥  
का० आ० सं० 1090॥अ॥ तारीख 14-5-2000 और ॥ii॥ का०  
आ० सं० 429॥अ॥ तारीख 14-5-2001 द्वारा संशोधन किए गए ।

(ii) का. आ.  
सं 462(अ)  
तारीख 14-5-2002

॥ संगीता गैरोला ॥  
संयुक्त सचिव, भारत सरकार



vetted  
XOX  
04/5/2002

( To be published in Part-II , Section 3, Sub-section (ii) of the Gazette of India,  
Extraordinary dated the 14.5.2002 )

98  
5/2/02

**Government of India**

**Ministry of Home Affairs**

\* \* \* \*

New Delhi, the May, 2002.

**Notification**

S.O.....(E) – In exercise of the powers conferred by sub-section (1) of section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Home Affairs number S.O. 339(E), dated the 14<sup>th</sup> May, 1999, namely :-

In the said notification, for paragraph 4, the following paragraph shall be substituted, namely :-

“4. The Commission shall submit its report to the Central Government as soon as possible but not later than the 14<sup>th</sup> May, 2003.”

(SANGITA GAIROLA)

**JOINT SECRETARY TO THE GOVT. OF INDIA**

[File No. VI/11034/18/98-IS (D.III)]

**Note :** The principal notification appointing the Commission was published in the Gazette of India vide number S.O. 339(E), dated 14.05.1999 and subsequently amended vide <sup>(i)</sup>number S.O. 1090(E), dated 14.11.1999 <sup>(ii)</sup>S.O.No. 462(E), dated 14.05.2000 <sup>(iii)</sup>and S.O.No. 429(E) dated 14.05.2001.

(SANGITA GAIROLA)

**JOINT SECRETARY TO THE GOVT. OF INDIA**



3198/5(1522)  
1315

JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
NETAJI SUBHAS CHANDRA BOSE.  
'B' Block, (Third Floor)  
11/A Mirza Ghalib Street, Kolkata 700 087

Fax :  
0091-033-252-2765

Phone:

Chairman - 252-2835  
Secretary - 252-2767  
Officer on  
Special Duty - 252-2765  
Office - 252-2766/68

e-mail:

jmcinsebv@cal.3.vsnl.net.in

5229/Dir(IST)/02  
1315

No. JMCI/ Admn/99-2000/32 (Vol. II) /67

Kolkata, dated, May 3, 2002

2179/ISUSD-11/02  
1315

From : Shri P.K. Sengupta  
Secretary

To : Ms. Sangita Gairola,  
Joint Secretary (IS)  
Ministry of Home Affairs,  
Government of India,  
New Delhi-110001.

Sub : Extention of the term of Justice  
Mukherjee Commission of Inquiry  
beyond 14.05.2002.

Madam,

I am directed to refer to this office letter No. JMCI/Admn/99-2000/32/632 dated 21.03.2002 and to say that the Commission is yet to receive the Government Notification extending the term of the Commission for a further period of one year with effect from 15.05.2002 as solicited by it in its aforesaid letter dated 21.03.2002.

I am, therefore, directed to request you to expedite communication of necessary Government Notification extending the term of the Commission beyond 14.05.2002, in the interest of smooth and uninterrupted functioning of the Commission.

US(D-IV) on file 1315

Yours faithfully,

(P.K. Sengupta)  
Secretary

12 1315

11.5.02

US DIV

15/5/02

1315



**MOST IMMEDIATE**

**No.VI/11034/18/98-IS(D.III)  
Government of India/Bharat Sarkar  
Ministry of Home Affairs  
IS-I Division**

\*\*\*\*\*

**New Delhi, the 14<sup>th</sup> May, 2002**

**To**

**The Manager,  
Government of India Press,  
Mayapuri,  
Ring Road,  
New Delhi.**

**Subject:- Extension of the term of Justice Mukherjee Commission  
of Inquiry appointed to inquire into the alleged  
disappearance of Netaji Subhas Chandra Bose –  
publication of Notification regarding.**

\*\*\*\*\*

**Sir,**

In response to this Ministry's letter of even number dated 13<sup>th</sup> May, 2002 on the above cited subject. I hereby authorized the bearer of this letter to obtain S.O. No. of the Extraordinary Notification delivered to the Government of India Press vide letter of even number dated 13-05-2002.

**Yours faithfully,**

SO No. 508 (E)

**(B.R. Dhiman)  
Under Secretary to the Govt. of India.**

**Tele No. 3015700**

**(BALWANT SINGH)**

**अवर सचिव (सीमा)**

**Under Secretary (Border)**

**गृह मंत्रालय**

**Ministry of Home Affairs**

**भारत सरकार**

**Govt. of India**



BY FAX

( FAX NO. 033-252-2765 )

No. VI/11034/18/98-IS(D.III)  
GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS

\* \* \* \*

New Delhi, the 14th May, 2002.

To

Shri P.K. Sengupta,  
Secretary,  
Justice Mukherjee Commission of Inquiry,  
'B' Block, (Third Floor),  
11/A Mirza Ghalib Street,  
KOLKATA - 700 087.

Subject : Extension of the term of the Justice Mukherjee  
Commission of Inquiry beyond 14.5.2002.

\* \* \*

Sir,

In response to your letter No. JMCI/Admn/99-2000/32  
(Vol.II)/67 dated May 3, 2002 on the above subject, it is  
informed that the terms of the Justice Mukherjee Commission  
of Inquiry has been extended upto 14.5.2003 and Notification  
has been published in the Gazette of India Extraordinary vide  
S.O.No. 508(E) dated 14.5.2002. A copy of the Notification  
will be forwarded in due course.

2. The Commission shall submit its report to the  
Central Government as soon as possible but not later than  
14.5.2003.

Yours faithfully,

( B.R. DHIMAN )

UNDER SECRETARY TO THE GOVT. OF INDIA.

WR/ Please issue  
16.5.02

If put up with  
notification

Sh M



102

BY FAX

( FAX NO. 033-252-2765 )

No. VI/11034/18/98-IS(D.III)  
GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS

\* \* \* \*

New Delhi, the 17th May, 2002.

To

Shri P.K. Sengupta,  
Secretary,  
Justice Mukherjee Commission of Inquiry,  
'B' Block, (Third Floor),  
11/A Mirza Ghalib Street,  
KOLKATA - 700 087.

Subject : Extension of the term of the Justice Mukherjee  
Commission of Inquiry beyond 14.5.2002.

\* \* \*

Sir,

In response to your letter No. JMCI/Admn/99-2000/32  
(Vol.II)/67 dated May 2, 2002 on the above subject, it is  
informed that the terms of the Justice Mukherjee Commission  
of Inquiry has been extended upto 14.5.2003 and Notification  
has been published in the Gazette of India Extraordinary vide  
S.O.No. 508(E) dated 14.5.2002. A copy of the Notification  
is enclosed herewith.

2. The Commission shall submit its report to the  
Central Government as soon as possible but not later than  
14.5.2003.

Yours faithfully,

17/5/02  
( B.R. DHIMAN )  
UNDER SECRETARY TO THE GOVT. OF INDIA.

WR/ please issue  
17.5.2002  
Encl: As above



Job No.

53478

भारत सरकार मुद्रणालय, रिंग रोड,  
नई दिल्ली

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Reg. No.]

1543 GI/2002

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Despatch Voucher

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Deptt.'s or Ministry's Reqn. No. Sh. B. R. Dhimman, U/S

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FORWARDED TO M/o H.A., IS-I Division, North

प्रबन्धक, भारत सरकार मुद्रणालय, रिंग रोड,

नई दिल्ली की ओर सं

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Dated... 15/4/02 ... 198

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Signature with designation

पता

Address

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Dated... 198

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Prompt return of 2nd portion of this Voucher duly signed within 7 days in token of acknowledgment is requested.

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# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 431]

नई दिल्ली, मंगलवार, मई 14, 2002/वैशाख 24, 1924

No. 431]

NEW DELHI, TUESDAY, MAY 14, 2002/VAISAKHA 24, 1924

गृह मंत्रालय

अधिसूचना

नई दिल्ली, 14 मई, 2002

का.आ. 508(अ).—केन्द्रीय सरकार, जांच आयोग अधिनियम, 1952 (1952 का 60) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के गृह मंत्रालय की अधिसूचना सं. का.आ. 339 (अ), तारीख 14 मई, 1999 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना के पैरा 4 के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात् :—

“4. आयोग अपनी रिपोर्ट केन्द्रीय सरकार को यथा संभव शीघ्र किन्तु 14 मई, 2003 तक प्रस्तुत करेगा।”

[फा. सं. VI-11034/18/98-आई.एस. (डी. III)]

संगीता गैरोला, संयुक्त सचिव

टिप्पणी :—आयोग को नियुक्त करने वाली अधिसूचना भारत के राजपत्र में अधिसूचना सं. का.आ. 339 (अ), तारीख 14-5-1999 द्वारा प्रकाशित की गई थी और तत्पश्चात् उसमें अधिसूचना सं. (i) का.आ. सं. 1090 (अ) तारीख 14-11-1999; (ii) का.आ. सं. 462 (अ) तारीख 14-5-2000; और (iii) का.आ. सं. 429 (अ) तारीख 14-5-2001 द्वारा संशोधन किए गए।

## MINISTRY OF HOME AFFAIRS

### NOTIFICATION

New Delhi, the 14th May, 2002

S.O. 508(E).—In exercise of the powers conferred by Sub-section (1) of Section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Home Affairs number S.O. 339(E), dated the 14th May, 1999, namely :—

In the said notification, for paragraph 4, the following paragraph shall be substituted, namely :—

“4. The Commission shall submit its report to the Central Government as soon as possible but not later than the 14th May, 2003.”

[File No. VI/11034/18/98-IS (D. III)]

SANGITA GAIROLA, Jt. Secy.

Note :—The principal notification appointing the Commission was published in the Gazette of India vide notification number S.O. 339(E), dated 14-05-1999 and subsequently amended vide notifications number (i) S.O. 1090(E), dated 14-11-1999; (ii) S.O. No. 462(E), dated 14-05-2000; and (iii) S.O. No. 429(E) dated 14-05-2001.

1543 GI/2002



105

JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
NETAJI SUBHAS CHANDRA BOSE.  
'B' Block, (Third Floor)  
11/A Mirza Ghalib Street, Kolkata 700 087

Fax :  
0991-033-252-2765

Phone:

Chairman - 252-2835  
Secretary - 252-2767  
Officer on  
Special Duty - 252-2765  
Office - 252-2766/68

e-mail:

jmci@vsnl.net.in

No. JMCI/ Admn/99-2000/32(Vol.II)/67

Kolkata, dated, May 3, 2002

From : Shri P.K. Sengupta  
Secretary

1659/15USD IV/2  
7/5

To : Ms. Sangita Gairola,  
Joint Secretary (IS)  
Ministry of Home Affairs,  
Government of India,  
New Delhi-110001.

Sub : Extention of the term of Justice  
Mukherjee Commission of Inquiry  
beyond 14.05.2002.

Madam,

I am directed to refer to this office letter No. JMCI/Admn/99-2000/32/632 dated 21.03.2002 and to say that the Commission is yet to receive the Government Notification extending the term of the Commission for a further period of one year with effect from 15.05.2002 as solicited by it in its aforesaid letter dated 21.03.2002.

I am, therefore, directed to request you to expedite communication of necessary Government Notification extending the term of the Commission beyond 14.05.2002, in the interest of smooth and uninterrupted functioning of the Commission.

Yours faithfully,

*P.K. Sengupta*  
(P.K. Sengupta)  
Secretary

1075  
Sh M  
6.5.02

Dir (IS-1)  
7/5

USD



No.VI/11034/18/98-IS(D.V)  
GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS

New Delhi dated .11.02

7 NOV 2002

ORDER

Sanction of the Head of the Department is hereby conveyed for drawal and payment of Rs.765/- (Rupees seven hundred and sixty five only) to the Controller of Publication, Deptt. of Publication, Civil lines, Delhi-110054 towards settlement of Government of India Press, Ring Road, New Delhi's Bill No.010095 (regarding printing of Extra-Ordinary Gazette of India, Part-II Section 3 Sub-Section 2 Sl.No.431 dt.14/5/02 ) dated 28/5/02 for supply of 50 copies .

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(M.S. ZUHA)  
DESK OFFICER

No.VI/11034/18/98-IS(D.V).


DATED the .11.02

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(M.S. ZUHA)  
DESK OFFICER



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M/o Home Affairs  
N-Block  
N-Delhi

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Date

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भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)  
प्राधिकार से प्रकाशित  
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सं. 443 ]  
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नई दिल्ली, बुधवार, मई 14, 2003/वैशाख 24, 1925  
NEW DELHI, WEDNESDAY, MAY 14, 2003/VAISAKHA 24, 1925

गृह मंत्रालय

अधिसूचना

नई दिल्ली, 14 मई, 2003

का.आ. 546(अ).—केन्द्रीय सरकार, जांच आयोग अधिनियम, 1952 (1952 का 60) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के गृह मंत्रालय की अधिसूचना सं. का.आ. 339(अ) तारीख 14 मई, 1999 का निम्नलिखित और संशोधन करती है, अर्थात् :—  
उक्त अधिसूचना के पैरा 4 के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात् :—

“4. आयोग अपनी रिपोर्ट केन्द्रीय सरकार को यथा संभव शीघ्र किन्तु 14 नवम्बर, 2003 के अपश्चात् प्रस्तुत करेगा।”

[फा. सं. VI/11034/18/98-आई. एस. (डी-III)]

राकेश, संयुक्त सचिव (एस)

टिप्पण :— आयोग को नियुक्त करने वाली मूल अधिसूचना भारत के राजपत्र में सं. का.आ. 339(अ) तारीख 14-5-1999 द्वारा प्रकाशित हुई थी और तत्पश्चात् इसे निम्नलिखित द्वारा संशोधित किया गया था :—

- (i) का.आ. 1090(अ) दिनांक 14-11-1999;
- (ii) का.आ. 462(अ) दिनांक 14-5-2000;
- (iii) का.आ. 429(अ) दिनांक 14-5-2001; और
- (iv) का.आ. 508(अ) दिनांक 14-5-2002

## MINISTRY OF HOME AFFAIRS

### NOTIFICATION

New Delhi, the 14th May, 2003

S.O. 546(E).—In exercise of the powers conferred by Sub-section (1) of Section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Home Affairs number S.O. 339(E), dated the 14th May, 1999, namely :—

In the said notification, for Paragraph 4, the following paragraph shall be substituted, namely:—

“4. The Commission shall submit its report to the Central Government as soon as possible but not later than the 14th November, 2003”.

[F. No. VI/11034/18/98-IS (D.III)]

RAKESH, Jt. Secy. (S)

Note :—The principal notification appointing the Commission was published in the Gazette of India vide S.O. 339(E), dated 14-05-1999 and subsequently amended vide :—

- (i) S.O. 1090(E) dated 14-11-1999;
- (ii) S.O. 462(E) dated 14-5-2000;
- (iii) S.O. 429(E) dated 14-5-2001; and
- (iv) S.O. 508(E) dated 14-5-2002;



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गृह मंत्रालय

MINISTRY OF HOME AFFAIRS

अधिसूचना

NOTIFICATION

नई दिल्ली, 14 नवम्बर, 2003

New Delhi, the 14th November, 2003

का.आ.1313 (अ).—केन्द्रीय सरकार, जांच आयोग अधिनियम, 1952 (1952 का 60) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के गृह मंत्रालय की अधिसूचना सं० का० आ० 339 (अ) तारीख 14 मई, 1999 का निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना के पैरा 4 के स्थान पर, निम्नलिखित पैरा रखा जाएगा, अर्थात् :—

“4. आयोग, अपनी रिपोर्ट, केन्द्रीय सरकार को यथा संभव शीघ्र किन्तु 14-5-2004 के अपश्चात् प्रस्तुत करेगा।”

S. O. 1313 (E).—In exercise of the powers conferred by Sub-section (1) of Section 3 of the Commission's of Inquiry Act, 1952 (60 of 1952), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Home Affairs number S.O. 339 (E), dated the 14th May, 1999, namely :—

In the said notification, for paragraph 4, the following paragraph shall be substituted, namely :—

“4. The Commission shall submit its report to the Central Government as soon as possible but not later than the 14-5-2004.”

[फा. सं. VI/11034/18/98-एन०सी०बी०/आई०एस०(V)]

[File No. VI/11034/18/98-NCB/IS(V)]

राकेश, संयुक्त सचिव

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- का०आ० 429 (अ) तारीख 14-5-2001;
- का०आ० 508 (अ) तारीख 14-5-2002; और
- का०आ० 546 (अ) तारीख 14-5-2003.

NOTE :—The principal notification appointing the Commission was published in the Gazette of India vide S.O. 339 (E) dated 14-5-1999 and subsequently amended vide.—

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

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असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित  
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सं. 982]

नई दिल्ली, रविवार, नवम्बर 14, 2004/कार्तिक 23, 1926

No. 982]

NEW DELHI, SUNDAY, NOVEMBER 14, 2004/KARTIKA 23, 1926

गृह मंत्रालय

(सुरक्षा प्रभाग)

अधिसूचना

नई दिल्ली, 14 नवम्बर, 2004

का.आ. 1265 (अ).—केन्द्रीय सरकार, जांच आयोग अधिनियम, 1952 (1952 का 60) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के गृह मंत्रालय की अधिसूचना सं. का.आ. 339(अ) तारीख 14 मई, 1999 का निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना के पैरा 4 के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात् :—

“4. आयोग अपनी रिपोर्ट केन्द्रीय सरकार को यथाशीघ्र किन्तु 14 मई, 2005 तक प्रस्तुत करेगा।”

[फा. सं. VI/11034/18/98-आईएस-डी. III/एनसीबी-II]

राकेश, संयुक्त सचिव

टिप्पण : आयोग को नियुक्त करने वाली मूल अधिसूचना भारत के राजपत्र में सं. का.आ. 339(अ) तारीख 14-5-1999 द्वारा प्रकाशित हुई थी और तत्पश्चात् इसे निम्नलिखित द्वारा संशोधित किया गया था :—

- (i) का.आ. 339(अ), तारीख 14-5-1999;
- (ii) का.आ. 1090(अ), तारीख 14-11-1999;
- (iii) का.आ. 462(अ), तारीख 14-5-2000;
- (iv) का.आ. 429(अ), तारीख 14-5-2001;
- (v) का.आ. 508(अ), तारीख 14-5-2002;
- (vi) का.आ. 546(अ), तारीख 14-5-2003;
- (vii) का.आ. 1313(अ), तारीख 14-11-2003; और
- (viii) का.आ. 575(अ), तारीख 14-5-2004.



## MINISTRY OF HOME AFFAIRS

(Security Division)

## NOTIFICATION

New Delhi, the 14th November, 2004

**S.O. 1265(E).**—In exercise of the powers conferred by Sub-section (1) of Section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Home Affairs number S.O. 339(E), dated the 14th May, 1999, namely :—

In the said notification, for paragraph 4, the following paragraph shall be substituted, namely :—

“4. The Commission shall submit its report to the Central Government as soon as possible but not later than the 14th May, 2005.”

[F. No. VI/11034/18/98-IS-D.III/NCB-II]

RAKESH, Jt. Secy.

**Note :** The principal notification appointing the Commission was published in the Gazette of India vide No. S.O. 339(E), dated 14-5-1999 and subsequently amended vide :—

- (i) S.O. 339(E), dated the 14th May, 1999;
- (ii) S.O. 1090(E), dated the 14th Nov., 1999; *1st*
- (iii) S.O. 462(E), dated the 14th May, 2000; *2nd*
- (iv) S.O. 429(E), dated the 14th May, 2001; *3rd*
- (v) S.O. 508(E), dated the 14th May, 2002; *4th*
- (vi) S.O. 546(E), dated the 14th May, 2003; *5th*
- (vii) S.O. 1313(E), dated the 14th Nov., 2003; and *VI th*
- (viii) S.O. 575(E), dated the 14th May, 2004. *VII th*

*14th Nov, 2004 VIII th*

*14th May, 2005 IX th*

*14th Nov, 05 X th*



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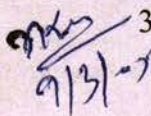


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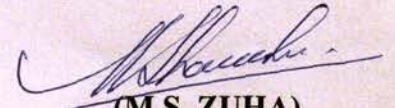
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